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THE

**Statutes at Large,**

From the 15th Year of K. EDWARD III.

TO

The 13th Year of K. HENRY IV. inclusive.

BY

DANBY PICKERING, of GRAY'S INN, Esq;

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94. Best, Law THE

# Statutes at Large,

FROM THE

Fifteenth Year of King EDWARD III.

TO THE

Thirteenth Year of King HEN. IV. inclusive.

To which is prefixed,

A TABLE containing the TITLES of all the  
STATUTES during that Period.

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V O L. II.

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By DANBY PICKERING, of Gray's-Inn, Esq;  
Reader of the Law Lecture to that Honourable Society.

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C A M B R I D G E,

Printed by JOSEPH BENTHAM, Printer to the UNIVERSITY;  
for CHARLES BATHURST, at the Cross-Keys, opposite St. Dunstan's  
Church in Fleet-Street, London. 1762.

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CUM PRIVILEGIO.

OF THE

57,802

## TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print, from the 15th year of K. EDW. III. to the 13th of K. HENRY IV. both inclusive.

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stat. I. and *Anno Dom. 1341.*

**O**UR sovereign lord King Edward the Third after the Conquest, Ex Edit, Rastal.  
at his parliament holden at Westminster at the xv. of Easter, desiring that the peace of his land, and the laws and statutes before this time ordained, be maintained and kept in all points, to the honour of God, and of holy church, and to the common profit of his people, by assent of the prelates, earls, barons, and other great men, and of all the commonalty of the realm of England, summoned to the said parliament, hath ordained and stablished in the same parliament, the articles underwritten, which he will and grant for him and for his heirs, Repealed by the statute following.  
that they be firmly kept and holden for ever.

## CAP. I.

*A confirmation of the great charter and former statutes.*

**F**IRST it is accorded and assented, That the franchise of holy Franchise, Charter.  
church, and the great charter, and the charter of the forest, and the other statutes made by our said sovereign lord the King and his progenitors, peers, and the commons of the land, for the common profit of the people, be firmly kept and maintained in all points. And if any thing be from henceforth made against the great charter, and the charter of the forest, it shall be declared in the next parliament, and by the peers of the realm it shall be duly redressed. And if any, of what estate or condition he be, do any thing to the contrary, shall stand to the judgement of the peers in the next parliament, and so from parliament to parliament, as well of franchises used, as of them which shall be now granted by our sovereign lord the King, or his progenitors to holy church, to the peers of the land, to the city of London and to other cities and boroughs, and to them of the five ports, and to the commons of the land, and all their franchises and free customs shall be maintained in all points, without any thing doing to the contrary. And that the writs demanded to have allowance of charters, of franchises and customs, charters of pardons, of debts, and of all other things granted by the King, and by his progenitors before this time, be freely granted without disturbance before all manner justices, or other ministers where it needeth to have allowance, and they shall be made quit at the exchequer, or elsewhere.

## CAP. II.

*The peers of the realm and great officers for great offences shall be tried in parliament.*

Peers.

**I**TEM, *whereas before this time the peers of the land have been arrested and imprisoned, and their temporalties, lands and tenements, goods and cattels assised in the King's hands, and some put to death without judgement of their peers:* It is accorded and assented, That no peer of the land, officer, nor other because of his office, nor of things touching his office, nor by other cause shall be brought in judgement to lose his temporalties, lands, tenements, goods and cattels, nor to be arrested, nor imprisoned, outlawed, exiled, nor forejudged, nor put to answer, nor to be judged, but by award of the said peers in the parliament, saving always to our sovereign lord the King, and his heirs in other cases the laws rightfully used, and by due process, and saving also the suit of the party. And if percase any peer will of his agreement elsewhere answer or be judged, but in the parliament, that the same shall not turn in prejudice of the other peers, nor of himself in any other case. Except if any of the peers be sheriff or fermor of fee, or hath been officer, or hath received money, or other cattels of the King, because of which office or receipt he is bound to accompt, that the same shall accompt by himself or by his attorney in places accustomed, so that the pardons before this time made in the parliament, shall stand in their force.

## CAP. III.

*The chancellor and other great officers to swear to keep the laws.*

**I**TEM, *because that the points of the great charter be blemished in divers manners, and less well holden than they ought to be, to the great peril and slander of the King, and damage of his people, especially inasmuch as clerks, peers of the land, and other free men be arrested and imprisoned, and out of their goods and cattels, which were not appealed nor ended, nor suit of the party against them affirmed:* It is accorded and assented, That from henceforth such things shall not be done. And if any minister of the King, or other person, of what condition he be, do or come against any point of the great charter, or other statutes, or the laws of the land, he shall answer in the parliament as well at the King's suit, as at the suit of the party, where no remedy nor punishment was ordained before this time, as far forth where it was done by commission or commandment of the King, as of his own authority, notwithstanding the ordinance made before this time at Northampton, by assent of the King, the prelates, earls, barons, and the commonalty of the land, in this present parliament is repealed and utterly adnullled. And that the chancellor, treasurer, barons, and chancellor of the exchequer, the justices of the one bench and of the other, justices assigned

Charter.

in the country, steward and chamberlain of the King's house, keeper of the privy seal, treasurer of the wardrobe, controllers, and they that be chief deputed to abide nigh the King's son duke of Cornwall, shall be now sworn in this parliament, and so from henceforth at all times that they shall be put in office, to keep and maintain the privileges and franchises of Franchises, holy church, and the points of the great charter and the charter of the forest, and all other statutes, without breaking any point.

## CAP. IV.

*At every parliament the King may take several great offices into his hands, and retain them four or five days. Those that attempt suits against the laws and statutes of the realm shall answer it in parliament.*

**I**TEM, it is assented, That if any of the officers aforesaid, or Officers, controllers, or chief clerk in the common bench, or in the King's bench, by death or by other cause be out of his office, that our sovereign lord the King, by the accord of the great men, which shall be found most nighest in the country, which he shall take towards him, and by the good counsel which he shall have about him, shall put another convenient in the said office: which shall be sworn after the form aforesaid. And that in every parliament, at the third day of the same parliament, the King shall take in his hands the offices of all the ministers aforesaid. And so shall they abide four or five days, except the offices of justices of the one place or the other, justices assigned, barons of the exchequer. So always that they and all other ministers be put to answer to every complaint. And if default be found in any of the said ministers, by complaint or other manner, and of that be attainted in parliament, he shall be punished by judgement of the peers, and put out of his office, and another convenient put in his place. And upon the same our said sovereign lord the King shall do to be pronounced to make execution without delay according to the judgement of the said peers in the parliament.

## CAP. V.

*Punishments of usury by the King or the ordinaries.*

**I**TEM, it is accorded, and assented, That the King and his heirs Ordinaries, shall have the confiscance of the usurers dead. And that the Usurers, Ordinaries of holy church have the confiscance of usurers on live, as to them appertaineth to make compulsion, by the censures of holy church for the sin, to make restitution of the injuries taken against the laws of holy church.

## CAP. VI.

*Ministers of the church shall not answer before the King's justices for things done touching the jurisdiction of the church.*

Ministers of  
Holy church.

**I**TEM, it is accorded, That the ministers of holy church for money taken for redemption of corporal penance, nor for proof and account of testaments, or for travail taken about the same, nor for solemnity of marriage, nor for other things touching the jurisdiction of holy church, shall not be impeached nor arrested, nor driven to answer before the King's justices nor other ministers: and thereupon the ministers of holy church shall have writs in the chancery to the justices and other ministers at all times when they the same will demand.

By another statute made also *Anno 15 EDW. III. stat. II.* the last mentioned statute of *Anno 15 EDW. III. stat. I.* was repealed, because it was made without the King's consent.

12 Co. 75.

**E**DWARD by the Grace of God, &c. to the sheriff of *Lintoln*, greeting. *Whereas at our parliament summoned at Westminster in the quinzime of Easter last past, certain articles expressly contrary to the laws and customs of our realm of England, and to our prerogatives and rights royal were pretended to be granted by us by the manner of a statute; (2) we, considering how that by the bond of our oath we be tied to the observance and defence of such laws, customs, rights, and prerogatives, and providently willing to revoke such things to their own state, which be so improvidently done, upon conference and treatise thereupon had with the earls, barons, and other wise men of our said realm, and because we never consented to the making of the said statute, but as then it behoved us, we dissimulated in the premisses by protestations of revocation of the said statute, if indeed it should proceed,*

**R**EX vicecomiti *Lincoln'* salutem. Cum in parlamento nostro apud *Westm'* in quindena Pasche proximo preterita convocato quidam articuli legibus & consuetudinibus regni nostri Anglie & juribus & prerogative nostre regis expressse contrarii pretenduntur per modum statutorum per nos fuisse concessi Nos considerantes qualiter ad observationem & defensionem legum consuetudinum jurium et prerogativarum hujusmodi astricti sumus vinculo juramenti & proinovolentes ea que sic fiunt in provide ad statum debitum revocare super hoc cum comitibus & baronibus ac peritis alii dicti regni nostri consilium habuimus & tractatum Et quod editioni dicti statuti pretennumquam consensimus set permissis protestationibus de revocando dictum statutum si factum procederet ad evitanda pericula que ex ipsius denegatione

tione tunc timebantur provenire cum dictum parliamentum alias fuisset sine expeditione aliqua in discordia dissolutum & sic ardua nostra negotia fuissent quod absit verisimiliter in ruina dissimulavimus sicut oportuit & dictum pretensum statutum sigillari permisimus illa vice videbatur dictis comitibus baronibus & peritis quod ex quo dictum statutum de voluntate nostra gratuita non processit nullum erat & quod nomen vel vim statuti habere non deberet. Et ideo dictum statutum de ipsorum consilio & assensu decrevimus esse nullum & illud quatenus de facto processit duximus ad nullandum volentes tamen quod articuli in dicto statuto pretense contenti qui per alia statuta nostra vel progenitorum nostrorum regum Anglie sunt prius approbati juxta formam dictorum statutorum in omnibus prout convenit observentur. Et hoc solum ad conservationem & redintegrationem jurium corone nostre facimus ut tenemur non autem ut subditos nostros quos in mansuetudine regere cupimus opprimamus aequaliter vel gravemus. Et ideo tibi precipimus quod hec omnia in locis infra ballivam tuam ubi expedire videris publice facias proclamari. T. R. apud Westm' primo die Octobris anno quinto decimo.

Per ipsum Regem & consilium.

*ceed, to eschew the dangers which by the denying of the same we feared to come, forasmuch as the said parliament otherwise had been without dispatching any thing in discord dissolved, and so our earnest business had likely been ruined (which God prohibit) and the said pretended statute we permitted them to be sealed: (3) It seemed to the said earls, barons, and other wise men, that sithence the said statute did not of our free will proceed, the same be void, and ought not to have the name nor strength of a statute; and therefore by their counsel and assent we have decreed the said statute to be void, and the same in as much as it proceeded of dread, we have agreed to be adnulled; (4) willing nevertheless, That the articles contained in the said pretended statute, which by other of our statutes or of our progenitors Kings of England have been approved, shall, according to the form of the said statute in every point, as convenient is, be observed. (5) And the same we do only to the conservation and reintegration of the rights of our crown, as we be bound, and not that we should in any wise grieve or oppress our subjects, whom we desire to rule by lenity and gentleness. And therefore we do command thee, That all these things thou cause to be openly proclaimed in such places within thy bailiwick where thou shalt see expedient. Witness myself at Westminster the first day of October, the fifteenth year of our reign.*

A Repeal of the former statutes made Anno 15 Ed. 3.



A third statute made Anno 15 EDW. III. expressing certain conditions or covenants whereupon the subsidy granted Anno 14 was given him.

Ex Edit.  
Rastal.

**I**T is to be remembered, of the conditions which the great men and the commons demanded, for the grant that they made to our sovereign lord the King, for the ix Lamb, fleece and sheaf of the second year.

#### CAP. I.

Subsidy.  
Sacks of wool.

**F**IRST, That that is gathered and levied of the xx. thousand sacks of wool, another time granted to our sovereign lord the King, in manner to have recompence of the same of the ix. of the second year, shall be recouped and allowed to the counties, where the wools be levied, and the persons paid, and the commissions of the twenty thousand sacks repealed.

#### CAP. II.

Lambs and  
fleeces.

**I**TEM, That the fleeces and lambs levied of this second year, be accounted before them, which shall be deputed to gather the said wools, which shall be good men and lawful of the country, and that the value of the said lambs and fleeces levied, be recouped and allowed in the number of the sacks now granted, and that the remnant of the three things to be gathered of this second year, nothing shall be levied, but wholly released. And upon the same, letters patents under the great seal shall be delivered to the knights of the shires, without any thing to be paid.

#### CAP. III.

Wools.

**I**TEM, That the wools in every county, be gathered by good men of the country, and delivered to the King's receivers of the sacks in the counties where they shall be gathered, according to the weight ordained by the statute, that is to say, xiiii. pound for the stone, and xxvi. stones for the sack, without other increase. And that none be charged to yield thereupon account to the King, but only the King's receivers. And that in every county there be assigned two great and good men, to hear and determine the complaints of them, which will thereof complain, upon the said collectors and receivers, &c. at the places and days of the counties.

#### CAP. IV.

Ninth.

**I**TEM, That the prelates, earls, barons, knights, and other great men of every country, which shall be bound to pay the ix. according to the grant thereupon made, shall be apportioned after their rate to the charge granted of the said wools. And in case that any of the prelates or great men aforesaid, or other will not pay according as shall be apportioned, the names of such and their portions shall be delivered to the said receivers, and by them to the chancery, and so much shall be allowed

ed to the county. And he that shall be found disobedient, shall be distrained to pay the treble of the portion, whereto he was set.

## CAP. V.

**I**TEM, That no merchant, nor other, buy nor carry wools <sup>Wools.</sup> out of the land betwixt this and the feast of Saint Michael next coming, to the intent that the King be served of that that to him is granted. And that after the said feast of Saint Michael, every merchant of the realm, and other may freely sell and buy, and pass the sea with their merchandises of wools, and all other things, paying the customs of old time used, according to the statutes before this time made at the last parliament holden at Westminster in middlelent. And that they which have wools shall be bound to sell, according to the sort and price of the country, to accomplish the wools granted to the King, and they which shall be collectors, shall be sufficient people of the same counties, chosen now in full parliament. And they shall be changed by no manner of commandment.

## CAP. VI.

**I**TEM, That the Queen's gold shall not run in demand, by <sup>Queen's gold.</sup> reason of this grant. And that cities and boroughs and all <sup>Barony.</sup> religious persons, which hold by barony, shall be bound to come to the parliament. And they that have cattles without gaining, shall be charged with the commons. And that the religious and other people of holy church, for the lands and possessions purchased and appropriated, not taxed with the tax used of dimes, shall be charged in this contribution with the commons. And that he which shall be found guilty of passage, shall be at the forfeiture of the double value of the wools. And that the takers may take the wools, in what part they shall be found out of sanctuary, after the sort and the price of Nottingham. And as to that which is behind of the ix. of the year past, the King shall do to be assigned some of his own, with good people of the counties, to take informations by all the ways that they can or may, of the true value of the ix. in every Parish. And according to these informations the ix. shall be levied. <sup>Wools. Takers. Ninth.</sup>

## CAP. VII.

**I**TEM, That the petitions, shewed by the great men and the <sup>Petitions.</sup> commons, be affirmed according as they be granted by the King, that is to say, some by statute, and the other by charter or patent, and delivered to the knights of the shires, without any thing paying. And that it please the King to perform the grace which he hath promised to the great men, in right to be attached and imprisoned now in this parliament. And they that have made fines, shall stand at their fines or at the common law, at their own choice.

## A TABLE of the STATUTES.

Cap. 8. For estreating exchanges of money by merchants.

Cap. 9. Jurors in indictments shall be returned by the sheriff or bailiffs without denomination of any.

*Anno 13 Hen. 4.*

Cap. 1. A confirmation of statutes not repealed and all liberties saving a franchise granted to the scholars of *Oxford*.

Cap. 2. Concerning justices of assise

and gaol-delivery.

Cap. 3. Confirmation of the statutes against liveries and retainers.

Cap. 4. Confirmation of the statutes for aulnage and measuring of cloths.

Cap. 5. That customers and other officers be resident upon their offices.

Cap. 6. Abolishing of Gally half-pence.

Cap. 7. Against riots, rioters, &c.

The End of the TABLE.

roialm a lour profit demeen : Et en mesme la manere eient la tierce partie de la bone monoie quele ilz troveront en la miere passant hors de la terre : Et en case qils soient troves negligents ou rebealx a tieux ferches faire, que lour terres & tenements, biens et chateux soient seises en la main le Roy, et lour corps pris, et detenus tanque ils eient fait fine au Roy pur lour disobeissance : Et en case quils soient assentants de porter tiels fauxe monoie, et de suffrire sachantement largent ou monoie autrement (sorpris que les grandz quant ilz vont per dela qils peusent aver vesseals dargent pur servir lour hostels come de fuis est dit) estre mesmes hors du roialm, sient judgement de vie & de membre,

*own benefit: And in the same manner they shall have the third part of the good money which they shall find, upon the sea passing out of the realm: And in case they shall be found negligent or disobedient in making such searches, that their lands and tenements, goods and chattles shall be seised into the King's hands, and their bodies taken and detained until they have made fine to the King for their disobedience: And in case they shall be assenting to the bringing in of such false money, or wittingly shall suffer silver or money (except vessels of silver for the great men when they go out of the kingdom to serve in their houses, as before is said) to be transported out of the realm, they shall have judgment of life and member.*

Statutes made Anno 18 EDW. III. *Stat. 1. Anno Dom. 1344.* declaring in what cases and for what offences exigents shall be awarded.

**I**T is accorded and established, That from henceforth of them which be or have been receivers of the King's money, or of his wools, which they take of the people, and the same carry away, or detain, so that our sovereign lord the King may not be thereof served: And of them which bring wools to the parts beyond the sea, without being cocketted, or paying custom or subsidy, whereto they be assessed, and of customers and finders, which suffer the same to the King's damage, of lay ministers which receive the King's money and the same retain: Also of conspirators, confederators, and maintainers of false quarrels: Also of them that bring routs in the presence of the justices, or other the King's ministers, or elsewhere in the counties in affray of the people, so that the law may not be done, as well of them which bring the same, as of them which come in their company, or as of them which bring false money in deceit of the people, against all those, in case they may not be found, or brought in, to answer, by attachment or distress, for the profit of our sovereign lord the King, the exigent shall be given and sued, and not against another.

Ex. E dit.  
Rastal.  
Exigents.

Ordinationes

Ordinationes in parlamento apud *Westm'* Anno regni domini *E. Regis Angl' et Franc'* videlicet *Anglie* decimo octavo et *Francie* quinto tento facte.

Another statute made Anno 18 EDW. III. stat. 2. and Anno Dom. 1344.

Two quinzimes granted to the King by the commonalty, and two dismes by cities and boroughs, to be paid in two years, towards his wars in France and Scotland.

Ex. Edit.  
Rastal.

IT is to be remembered, that at the parliament holden at *Westminster*, the Monday next after the utas of the holy Trinity, the the year of the reign of our sovereign lord the King that now is of England the xvij. and of France the v. many things were shewed in full parliament, which were attempted by the party adversary to our sovereign lord the King, of France, against the truce late taken in Britain, betwixt our said sovereign lord the King and him: and how that he enforceth himself as much as he may, to destroy our said sovereign lord the King, and his allies, subjects, lands, and places, and the tongue of England. And that it was prayed by our said sovereign lord the King of the prelates, great men, and commons, that they would give him such counsel and aid, as should be expedient in so great necessity. And the said prelates, great men, and commons, taking good deliberation and advice, and openly seeing the subversion of the land of England, and the King's great business, which God defend, if hasty remedy be not provided, have concealed jointly and severally, and prayed with great instance our sovereign lord the King, that he would make him as strong as he might to pass the sea, in assurance of the aid of God and of his good quarrel, effectually this time to make an end of his wars, or by way of peace or else by force. And that for letters, words, nor for fair promises, he shall let his passage, till he see the effect of his business: And for this cause the said great men do grant, to pass and to adventure them with him: And the said commons do grant to him, for the same cause upon a certain form ii. quinzimes of the commonalty, and ii. dismes of the cities and boroughs, to be levied in manner as the last quinzime granted to him was levied, and not in other manner: and to be payed by ii. years, at the feasts of All Saints, and of Easter next following, for the first year. And in that, that our sovereign lord the King doth pass the sea, to pay at the same terms to the quinzime and disme of the second year, and not in other manner. So that the money levied of the same, be dispended in the business shewed to them in this parliament, by the advice of the great men thereto assigned. And that the aids beyond Trent, be put in defence of the North: And our said sovereign lord the King, for this cause, and in ease of the said commons, and of all his faithful subjects of England, by the assent of the prelates,

Quinzimes.  
Dismes.

Aids.

lates, great men, and commons, hath granted of his good grace these things underwritten.

CAP. I.

*Commissions of new inquiries shall cease, saving indictments of felonies, and trespasses of wools carried out without subsidies, customs, &c.*

**F**IRST, that the commissions of the new enquiries shall cease and be wholly adnullled. And that writs be thereupon made of the justices to surcease. Saving the indictments of felonies and trespasses done against the peace, of wools carried out of the realm, without paying custom or subsidy, and of other the King's goods, or of money received or retained, by them which have had commission under the King's seal, and also of false money brought within the realm, be gone before the same justices, named in the said commissions, shall be determined in the King's Bench, or before other justices thereto assigned: and the exigends issued, and outlawries pronounced, for other causes aforesaid, shall cease and be wholly adnullled. And thereupon shall there be made writs as many, and such as shall be requisite.

Enquiries.  
Indictments.

CAP. II.

*Justices of peace shall be appointed, and their authority.*

**E**T aussint qe deux ou trois des mieultz vauetz des countees soient assignez gardiens de la pees par commissions le Roi & quele heure qe meissier ferra mesmes ceux ovesques autres sages & apres de la ley soient assignez par commission le Roi doier & terminer felonies & trespas faites contre la pees en mesmes les countees & punissement faire resonablement olonc la manere du fait.

**I**TEM, that two or three of the best of reputation in the counties shall be assigned keepers of the peace by the King's commission, (2) and at what time need shall be, the same, with other wise and learned in the law, shall be assigned by the King's commission to hear and determine felonies and trespasses done against the peace in the same counties, and to inflict punishment reasonably according to law and reason, and the manner of the dead.

Justices of peace shall be appointed and their authority.

1 Ed. 3. stat. 2. c. 16.  
4 Ed. 3. c. 2.  
34 Ed. 3. c. 1.  
18. H. 6. c. 11.

CAP. III.

*All persons may buy wools. The sea shall be open.*

**I**TEM qe les ordenances devant ces heures faites sur le pris des sortz des leines en chescune countee soient de tout nientiz & defaitz & qe chescun homme aussibien estrange come prive puisse desormes acheter

**I**TEM, that the ordinances made before this time, upon the price of sorts of wools in every county, be wholly annulled and defeated; (2) and that every man, as well stranger as privy, from henceforth

Every man may buy wools.

henceforth may buy wools, according as they may agree with the seller, as they were wont to do before the said ordinances; (3) and that the sea be open to all manner of merchants to pass with their merchandize where it shall please them.

The Sea shall be open.  
3 Mod. 126.  
5 & 6 E. 6. c. 7.

chater leines solonc ceo qil purra acorder ove le vendour aussi come ils soleient faire devant les ordinances avantdites. Et qe nul homme ne soit empeche ne greve pur cause de nul acate faite en temps passe encontre les ordinances avantdites et qe la mieer soit overte a tout manere des marchantz de passer ove lour marchandises.

#### CAP. IV.

*Commissions to assay weights and measures shall be repealed, and none such granted.*

There shall be no commissions issued to assay weights and measures.

**I**TEM, That the commissions to assay measures and weights be repealed and wholly adnulled. And that from henceforth no such commission shall go out. And that it be demanded to the treasurer and barons of the exchequer, to do come before them such commissioners, to yield account to the King, notwithstanding that they alledge, that they be justices, and ought not to yield account. And if any will upon them complain, he shall be heard. And thereupon writs shall be made to the sheriffs, to make proclamation, that they which will complain upon such commissioners, shall come to the exchequer, and there to complain, and amends shall be to them made.

**I**TEM qe les commissions dassaier mesures aunes & pois soient repellez & anientiez de tout & qe desore nul tiel commission isse et qe mande soit a tresorer & as barons de Lescheber de faire venir devant eux tieux commissioners de rendre acompt au Roi nient contrestant qils alleggent qils sont justices & ne deivent nul acompte rendre et si nul se vouldra pleindre sur eux soit oy & sur ceo soient faites briefs as viscontes de faire proclamation qe ceux qe se voudront pleindre sur tieux commissioners veignent a leschequer & illoeqes se pleinent & amendes lour seront faites.

#### CAP. V.

*No exigent shall be granted in trespasss, but where it is against the peace.*

No exigent in trespasss but where it is against the peace.  
38 Ed. 3.  
stat. 1.

**I**TEM, That no exigent shall from henceforth go out, in case where a man is indicted of trespasss, unless it be against the peace, or of things which be contained in the declaration made in this case at the last parliament holden at *Westminster*.

**I**TEM qe nul exigende isse desormes en cas ou homme est enditez de trespas qe ne soit encontre la pees ne des choses qe ne sont contenues en la declaration fait de ce cas en dernier parlement tenuz a *Westm'*.

## CAP. VI.

*Money shall be made and exchanges ordained where the King shall please.*

**I**TEM, That no man be compelled to take the new money Ex. Edit.  
and gold and silver which our sovereign lord the King Rastal.  
hath ordained, to go in payment at a certain price, within the New money.  
sum of twenty shillings: And also that money of gold and  
silver be made in the city of *York*, and elsewhere where the  
King will it ordain, in the manner as it is made in the tower Exchanges.  
of *London*. And exchanges shall be ordained in the good  
towns, according as it best shall seem to our sovereign lord  
the King, for the profit of him, and his people. And that it  
be ordained in a certainty, what thing shall be given in exchange  
of every piece of gold.

## CAP. VII.

*When the King's wages to soldiers shall begin and end.*

**I**TEM que les estatuz faitz  
sur les purveances affaire  
sur l'ostel le Roi la Roigne &  
leur enfantz en les queux est  
contenuz qils ne achatent ne  
preignent riens sil ne soit par  
le bone gree des vendours & par  
seer fait entre les achatours &  
les vendours & aussint les esta-  
tutz faitz del estat le seneschal  
& mareschal del hostel le Roi  
& queux pleedz ils tendront &  
determineront devant eux en la  
mareschalcie soient tenuz &  
gardez en touz lour pointz les  
queux estatutz nostre seignur  
le Roi ad fait transescrire &  
mander as seneschal & mares-  
chal de son hostel & a tresorer  
de la garderobe & briefs ovef-  
que eux de les garder & mein-  
tenir en touz pointz. Et que  
genz darmes hobelers & arch-  
ers esluz pur aler en le service  
le Roi hors d'Engleterre soient  
as gages le Roi du jour qils de-  
partiront hors des countees ou  
ils seront eslutz tanque a lour  
revenuz.

Exemplificatur de assensu  
parliamenti.

**I**TEM, That the statutes Mirror, 15.  
for the purveyances, to be 5 Ed. 3. c. 2.  
made for the houses of the 10 Ed. 3. stat. 2.  
King, the Queen, and their c. 1, 2.  
children, wherein it is contain-  
ed, That they shall not buy  
nor take any thing, unless it  
be by agreement of the sellers  
and by promise made betwixt  
the buyers and the sellers, (2)  
and that the statutes made of  
the steward and marshal of  
the King's house, and what  
pleas they shall hold and deter-  
mine before them in the mar-  
shalsea, shall be holden and  
kept in all their points; (3)  
which statutes our lord the  
King hath caused to be trans-  
cribed, and sent to the steward  
and marshal of his house, and  
to the treasurer of the ward-  
robe, and writs with them, to  
keep and maintain the same in  
all points. (4) And that men  
of arms, hoblers, and archers,  
chosen to go in the King's ser-  
vice out of *England*, shall be at  
the King's wages from the  
day that they depart out of the  
counties where they were cho-  
sen, till their return.

When the  
King's wages  
to soldiers  
shall begin and  
end.

1 Ed. 3. stat. 2.  
c. 7.  
4 H. 4. c. 13.  
6 Co. 27. a.

CAP.



A statute of the clergy, made *Anno* 18 EDW. III.  
stat. 3. and *Anno Dom.* 1344.

*Nova Statuta.*

**E**DWARD by the Grace of God, &c. Greeting. Know ye that at our parliament holden at Westminster the Monday next after the Utas of the Holy Trinity, the year of our reign of England the eighteenth, and of France the fifth, amongst other things shewed, assented, and accorded in the said parliament, there were shewed, assented and accorded these things underwritten.

**E**DWARD par la grace de Dieu Roi d'Engleterre & de Fraunce & Seigneur d'Irland as tous ceux qe cestes lettres verrount ou orrount salut. Sachez qe a nostre parlement tenu a Westm' le Lundy profchein apres les oytaves de la Trinite profchein passez entre autres choses monstrez assentuz & accordez en le dit parlement si furent monstrez assentuz & accordez les choses southescritz.

CAP. I.

*A Triennial disme granted to the King by the clergy towards the maintenance of his war in France.*

Ex. Edit.  
Rastal.

**F**IRST, whereas many things have been attempted, by the party our adversary of France, against the truce late taken in Britain, betwixt us and him, and how that he enforceth himself, as much as he may, to destroy us, and our allies, subjeets, lands, and places, and the tongue of England: And thereupon we prayed the prelates, great men and the commons, that they would give us such counsel and aid as should need in so great necessity. And the said prelates, great men, and commons, having thereof good deliberation and advice, and seeing openly the subversion of the land of England, and of our great business, which God defend, if speedy remedy be not provided: have counselled jointly and severally, and with great instance prayed us, that in assurance of the aid of God, and our good quarrel, we should make us as strong as we might, to pass the sea and by all the good means that we might, at this time to finish our wars. And that for letters, words, nor fair promises, we should not let our passage, till we did see the effect of our business. And for this cause, the great men aforesaid granted to pass, and to adventure themselves with us. And the said prelates and procurators of the clergy, have granted to us for the same cause, a triennial Disme, to be paid at certain days, that is to say, of the province of Canterbury, at the feasts of the purification of our Lady, and of Saint Barnaby the Apostle: And of the province of York, at the feasts of Saint Luke, and the Nativity of Saint John Baptist. And we for this cause, in maintenance of the estate of holy church; and in ease of the said prelates, and all the clergy of England, by assent of the great men, and of the commons, do grant of our good grace the things underwritten, that is to say, that no archbishop shall be impeached before our justices because of crime

Disme.

Prelates.

crime, unless we especially do command them, till another remedy be thereof ordained.

## CAP. II.

*Bigamy shall be tried by the ordinary, and not by inquest.*

**I**TEM qe si nul clerk soit areinez devant noz Justices a nostre suyte ou a la suyte de partie & le clerk se teigne a la clergi allegeant qil ne doit devant eux sur ce respoudre et si homme lui surmette pur nous ou pur la partie qil eit espouse deux femmes ou une veue qe sur ceo les Justices neient conifance ne poer de trier par enquestes ou en autre manere la bygamie einz soit mandez a la Court Christiene come adeste fait en cas de bastardie. Et tanqe la certification soit mande par lordinarie demoerge la persone en quele bigamie est alegge par les paroles susditz ou en autre manere en garde fil ne soit meinpnable.

**I**TEM, If any clerk be arraigned before our justices at our suit, or at the suit of the party, and the clerk holdeth him to his clergy, alledging that he ought not before them thereupon to answer; (2) and if any man for us, or for the same party, will suggest, that he hath married two wives, or one widow, that upon the same the justices shall not have the cognifance or power to try the bigamy by inquest, or in other manner; but it shall be sent to the spiritual court, as hath been done in times past in case of bastardy. (3) And till the certificate be made by the ordinary, the party in whom the bigamy is alledged, by the words aforesaid, or in other manner, shall abide in prison, if he be not mainpnable.

Bigamy shall be tried by the ordinary and not by a jury.

Ed. 6. c. 12. sect. 16.

## CAP. III.

*Prelates impeached for purchasing lands in Mortmain.*

**I**TEM qe si Prelatz clers beneficez ou gentz de religion qount purchacez terres & les ont mys a mort meyn soient empeschez ou arefoncez sur ceo devant noz Justices & ils monstrent noz chartres de licence & processe sur ceo fait par enqueste Ad quod dampnum ou de nostre grace ou par fin qils soient lessiez franchisement en pees saunz estre outre empeschez pur la dite purchace. Et en cas qils ne purront suffisamment monstrier qils ne soient entrez par due processe apres la licence a eux grante en general ou especial qils

**I**TEM, If prelates, clerks beneficed, or religious people, which have purchased lands, and the same have put to mortmain, be impeached upon the same before our justices, and they shew our charter of licence, and processe thereupon made by an inquest of *Ad quod dampnum*, or of our grace, or by fine, they shall be freely let in peace, without being further impeached for the same purchase. (2) And in case they cannot sufficiently shew, that they have entered by due processe after licence to them granted in general or

Prelates impeached for purchasing land in Mortmain do shew the King's licence.

in

in special, that they shall be well received to make a convenient fine for the same; and that the enquiry of this article shall wholly cease according to the accord comprised in this parliament.

7Ed.1.stat.2.  
1Ed.3.stat.2.  
c.12.

qils soient bonement receuz & faire convenable fyn et qe lenquerrie de cest article cesse de tout solonc lacordement pris en cest parlement.

## CAP. IV.

*In commissions to be made for purveyance, the fees of the church shall be excepted.*

Ex edit. Pult.  
3Ed.1. c.1.  
14Ed.3.stat.3.  
c.1.  
1Rich.2.c.3.  
In commissi-  
ons for pur-  
veyance the  
fees of the  
church shall  
be excepted.

**I**TEM, that the statutes touching the purveyances of Us and of our son, made in times past by Us and our progenitors, for people of holy church be holden in all points. And that in the commissions to be made upon such purveyances, the fees of holy church shall be excepted in every place where they be found.

## CAP. V.

*No prohibition shall be awarded but where the King hath cognisance.*

4Co.123.  
5Co.73.  
6Co.23.  
9Ed.2.stat.1.  
c.1.

**I**TEM, That no prohibition shall be awarded out of the chancery, but in case where we have the cognisance, and of right ought to have.

**I**TEM qe nule prohibition ne isse dehors de la Chaucellerie si noun en cas qe nous averoms la conisance & devons avoir de droit.

## CAP. VI.

*Temporal justices shall not enquire of process awarded by spiritual judges.*

There shall be no more commissions granted to justices to inquire of spiritual judges.

**I**TEM, *Whereas commissions be newly made to divers justices, that they shall make inquiries upon judges of holy church whether they made just process or excessive in causes testamentary, and other, which notoriously pertaineth to the cognisance of holy church, the said justices have enquired and caused to be indicted, judges of holy church, in blemishing of the franchise of holy church; (2) that such commissions be repealed, and from henceforth defended, saving the article in eyre, such as ought to be.*

**I**TEM qe par la ou commissions sont faites de novel as diverses justicez qils facent enquestes sur juges de seint eglise le quel qils facent joust processe ou excessse en cause du testament & autres les queux notoriement apartiegnent a la conisance de seint eglise les ditz justices ount enquis & & fount enditer juges de seint eglise en blemissement de la franchise de seint eglise qe tieles commissions soient repellez & desoremes defenduz save l'article de eyre tiele come il doit estre.

C A P. VII.

No Scire facias shall be awarded against a clerk for tithes.

ITEM qe par ou briefs de Scire facias oient este grantez a garner Prelatz religious & autres clers a respoudre des dismes en nostre Chauncellerie & a monstren filis eient riens pur eux ou sachent riens dire pur quoi tieux dismes a les demandauntz ne devient estre restitutes & a respoudre auxibien a nous come a partie des tieux dismes qe tieux briefs desore enavant ne soient grauntez & qe les proceses pendantz sur tieux briefs soient anientiz & repellez & qe les partiez soient dimises devant seculers juges de tieux maners de pledz savez a nous nostre droit tiel come nous & noz auncesters avons eu & solions avoir de resoun. En tesmoignance de queux choses a la request des ditz Prelatz a cestes presentes lettres avons faitz mettre noz sealx. Don' a Londres le viii. jour de Juylan de nostre regne dEngleterre dsoitisme & de France quint.

ITEM, Whereas writs of Scire facias have been granted to warn prelates, religious and other clerks, to answer dismes in our chancery, and to shew if they have any thing, or can any thing say, wherefore such dismes ought not to be restored to the said demandants, and of answer as well to us, as to the party of of such dismes; (2) that such writs from henceforth be not granted, and that the process hanging upon such writs be adnulled and repealed, and that the parties be dismissed from the secular judges of such manner of pleas: (3) saving to us our right, such as we and our ancestors have had, and were wont to have of reason. In witness whereof, at the request of the said prelates, to these present letters we have set our seal. Dated at London, the eighth day of July, the year of our reign of England the eighteenth, and of France the fifth.

No scire facias shall be awarded to warn a clerk to answer for his tithes.

The oath of the justices, being made Anno 18 EDW. III. Stat. 4. and Anno Dom. 1344.

Nova Statuta.

VOUS jurez, qe bien & loialment servires a nostre Seigneur le Roy et son peuple en loffice de justice, et que loialment conseilleres nostre seigneur le Roy en sez besoignes. Et que vous ne conseilleres ne assentires a chose que luy purra tourner en damage ou desheritefon per queconque voye ou colour. Et

YE shall swear, that well and lawfully ye shall serve our lord the King and his people in the office of justice, and that lawfully ye shall counsel the King in his business, and that ye shall not counsel nor assent to any thing which may turn him in damage or disherison by any manner, way, or colour. (2) And that

That he shall serve th. King in his office. Dalt. 13.

To warn the King of any damage.

that ye shall not know the damage or ditherison of him, whereof ye shall not cause him to be warned by yourself, or by other; and that ye shall do equal law, and execution of right, to all his subjects, rich and poor, without having regard to any person.

To do justice.

(3) And that ye take not by yourself, or by other, privily nor apertly, gift nor reward of gold nor silver, nor of any other thing which may turn to your profit, unless it be meat or drink, and that of small value, of any man that shall have any plea or proces hanging before you, as long as the same proces shall be so hanging, nor after for the same cause. (4) And that ye take no fee, as long as ye shall be justice, nor robes of any man great or small, but of the King himself.

To take no reward of any having a suit.

(5) And that ye give none advice or counsel to no man great nor small, in no case where the King is party.

To give no counsel where the King is a party.

2 Ed. 3. c. 3.  
20 Ed. 3. c. 1.  
8 R. 2. c. 3.  
9 R. 2. c. 1.

(6) And in case that any of what estate or condition they be, come before you in your sessions with force and arms, or otherwise against the peace, or against the form of the statute thereof made, to disturb execution of the common law, or to menace the people that they may not pursue the law, that ye shall cause their bodies to be arrested and put in prison; (7) and in case they be such that ye cannot arrest them, that ye certify the King of their names, and of their misprison hastily, so that he may thereof ordain a convenable remedy. (8) And that ye by your self nor by other, privily

To maintain no suit.

nor

que vous ne sayeres le damage ou ditherison de luy, que vous ne luy ferrez garnir per vous ou per autre. Et que vous ferrez owel ley & execution de droit as toutes es subgettez riches & povrez fauns avoir regard a quelconque person. Et que vous ne prendrez per vous ne per autre en prive nen apert don ne reward dor ne dargent ne dautre chose queconque, que a vostre profit pourra tourner, sil ne soit manger ou boire et ceo de petit value, de nul home qui avera plee ou proces pendaunt devant vous, taunt come cel proces serra issint pendant, ne apres par cel cause. Et que vous ne prendres fee, tanque come vous serres Justice, ne robes de nul home graunde ne petit, si non de Roy mesmes. Et que vous ne dirrez conseil ne avyz a nulle graunde ne petit, en nul cas ou le Roy est partie. Et en cas que ascuns, de quel estate ou condition quils soient, veignent devant vous en vos sessions a force et armes ou autrement contre la peas, ou contre la forme del estatut ent fait, pur distourber execution del commune ley, ou pur manufer lez gentz que ils ne purroient poursuivre la ley, que vous ferrez arrester leur corps, et mettre en prison. Et en cas quils soient tielx que vous ne lez poez arrester, que vous certifies le Roy de leur nouns et de leur misprison hastivement, issint que il puisse ent ordeigner remede convenable. Et que vous ne maintiendres, per vous ne per autre en prive nen apert, nul plee ne nul querele pendant en le court le Roy naillours en pais. Et que vous

ne

ne declarez a nulley come droit per lettres du Roy ne de nulley autre ne per autre cause queconque. Et en cas que aucuns lettres vous veignent contrariez a la ley, que vous, ne ferres riens per tielx lettres, eyens certifies le Roy de ceo, et irrez avaunt, pur faire la ley, nient contresteauntz mesmes les lettres. Et que vous ferres et procurez le profit du Roy et de la corone ove toutes les choses ou vous le purres faire raisonnablement: Et en cas que vous soies treuve en defaute desorennavant en nul des pointes avanditiz, vous ferres en la volonte du Roi du corpz terres et davoit, de faire ent que luy plerra. Si Dieu vous eide & toutes ses seyntes.

nor apertly, maintain any plea or quarrel hanging in the King's court, or elsewhere in the country. (9) And that ye deny to no man common right for letters. No to deny right for letters. (10) And that ye shall do and procure the profit of the King and of his crown, with all things where ye may reasonably do the same. To procure the King's profit. (11) The penalty of an offender. And in case ye be from henceforth found in default in any of the points aforesaid, ye shall be at the King's will of body, lands, and goods, thereof to be done as shall please him, as God you help and all saints. 3 Inst. 146, 223, 224.

The oaths of the clerks of the chancery, and of the clerks of course, made *Anno* 18 EDW. III. stat. 5. and *Anno Dom.* 1344.

*Nova Statuta.*

**V**OUS jurez, que bien & loialement servirez a nostre seigneur le Roy & a soun peuple en le office de la chancellarie, a quele vous estes attitle; & nassentirez ne procurez disheritance ne perpetual damage du Roy a vostre poair; ne fraude ferres, ne procurez estre fait a tort aucuns du peuple, nen chose que touche la garde de seal: & loialement counseilerez les choses que touchent le Roy, quant serrez ent requis; & le conseil que vous savez touchant luy, conceleres. Et si vous saches disheritance ou perpetual

**Y**E shall swear, That well and lawfully ye shall serve our lord the King and his people in the office of clerk of the chancery, to which ye be attitled; (2) and ye shall not assent nor procure the King's disherison nor perpetual damage to your power; (3) nor ye shall do nor procure to be done, any fraud to any man's wrong, nor thing that toucheth the keeping of the seal. (4) And ye shall lawfully give counsel in the thing that toucheth the King, when ye shall be thereto required; and the counsel which you know touch-

ing him ye shall conceal. (5) And if you know the King's disherison, or perpetual damage or fraud to be done upon the things which touch the keeping of the seal, ye shall put your lawful power to repress and amend it; and if ye cannot do it, then ye shall certify the chancellor or other, which may do the same, to be amended to your intent. (6) And for the clerks of course shall be added: and ye shall not bring, nor to your knowledge suffer to be brought, any writs which ye make out of the court not sealed, thereof to do execution; (7) nor shall record any attorney by writs, nor without writs, without especial licence, if ye have not lawfully examined the party and the attorney in proper person, or at the least him that shall make attorney in proper person. (8) Nor ye shall deliver any writ which shall be of commandment to the examiners, nor to the seal, before that the same writ be sent to you by the commander, which thereof hath power, unless it be to the chancellor or to one of the masters, which commandeth you to make the writs. (9) And all the writs which ye shall make, ye shall deliver to the examiners by your own hand, or by one companion which is sworn to the King, if ye yourself be out of the court because of sickness or other cause necessary so that ye cannot do it. (10) And no writ written of another man's hand shall be delivered to the examiners under your name, as yours, nor no name shall ye put under your writs, but your own, as God you help and all saints.

tual damage le Roy, ou fraude estre fait sur choses queux touchent la garde du dit seale, vous mettez vostre loiale poair de ceo redresser & amender. Et si de ceo ne poiez faire, vous aviserez le chancelier, on autres que le poent faire attendre a vostre entencion. *Et addatur pro clericis de cursu.* Et vous ne porterez, ne soeffres estre porte a vostre efficient, brieves que vous ferrez, hors du court nient ensealez dent faire execution. Ne nul attourne ne recorderez, ne per brieves ne sauns brief, sauns especial counge, & si vous neiez loialement examines la partie & lattourne en propre persone, ou a meyns cellvy que fra lattourne en propre persone. Ne nul brieve que soit de commandement ne liverez a les examinours ne au seale, avant que mesme le brieve soit commande a vous per commandour que poair en eit, sil ne soit a chancelour, ou a un des meistres que vous commandera de faire les brieves. Et toutz les brieves queux vous ferrez, liverez a les examinours per vostre mayn demesne, ou par une compaignon qui est jurez au Roy, si vous mesme soies hors du court per cause de maladie, ou autre cause necessarie ne les poez faire. Et que nul brieve escript dautri mayn liveres a les examinours soutz vostre, noun come le vostre, ne nul noun forsque le vostre mettes sur vos briefs. Si vous aide Dieu et ses seintes

Clerks of  
course.

Statutes made at *Westminster*, 7 *Maii*, Anno 20  
EDW. III. and *Anno Dom.* 1346.

*Nova Statuta.*

**E**DWARD &c. salutuz pur ceo qe per plusurs pleintz en faitz a nous. Nous avoms entenduz qe la ley de nostre terre quele nous fumus tenuz per serement de meintenir est meyns bien garde & lexecucion dicelle destourbe plusours foitz per maintenaunce & procurement fibien en court come en pays per plusours maners nouz moeves graundement de conscience de ceste matiere & per celle cause desirantz tant pur plesauce de Dieu & ease & quiete de noz subgitz come pur sauver nostre conscience & pur sauver & garder nostre serement avaunt dit per lassent dez graundz & autres sagez de nostre counseil.

**E**DWARD by the grace of God, &c. to the Sheriff of Stafford, greeting. Because that by divers complaints made to us we have perceived that the law of the land, which we by our oath are bound to maintain, is the less well kept and the execution of the same disturbed many times by maintenance and Procurement, as well in the court as in the country; (2) we greatly moved of conscience in this matter, and for this cause desiring as much for the pleasure of God, and ease and quietness of our subjects, as to save our conscience, and for to save and keep our said oath, by the assent of the great men and other wise men of our council, we have ordained these things following.

CAP. I.

*The justices of both benches, assise, &c. shall do right to all men, take no fee but of the King, nor give counsel where the King is party.*

**S**I avoms ordeigne & commaunde expressement as touz nouz Justices qils facent desore owel ley & execution de droit as touz noz subgetz riches & povrez saunz aver regard de null person & saunz lesser de faire droit pur null letrez ou maundementz qe lour purrount venir de nous ou de null autre ou pur autre cause qe conqz & en cas qe ascuns letrez briefs ou maundementz viegnent as lez justices ou as autres deuteez de faire ley & droit solonqes lez usagez de nostre roialme en destourbance de la ley ou de execution dicelle ou de droit faire as parties

**F**IRST, We have commanded all our justices, That they shall from henceforth do equal law and execution of right to all our subjects, rich and poor, without having regard to any person, and without omitting to do right for any letters or commandment which may come to them from us, or from any other, or by any other cause. (2) And if that any letters, writs, or commandments come to the justices, or to other deputed to do law and right according to the usage of the realm, in disturbance of the law, or of the execution of the

The justices shall do right to all persons without regard of letters.



same, or of right to the parties, the justices and other aforesaid shall proceed and hold their courts and processes where the pleas and matters be depending before them, as if no such letters, writs, or commandments were come to them; and they shall certify us and our council of such commandments which be contrary to the law, as afore is said.

Justices to certify all illegal commandments.

(3) And to the intent that our justices should do even right to all people in the manner aforesaid, without more favour shewing to one than to another, we have ordained and caused our said justices to be sworn, That they shall not from henceforth, as long as they shall be in the office of justice, take fee nor robe of any man, but of ourself, and that they shall take no gift nor reward by themselves, nor by other, privily nor apertly, of any man that hath to do before them by any way, except meat and drink, and that of small value; (4) and that they shall give no counsel to great man or small, in case where we be party, or which do or may touch us in any point, upon pain to be at our will, body, lands, and goods, to do thereof as shall please us, in case they do contrary. (5) And for this cause we have increased the fees of the same our justices in such manner, as it ought reasonably to suffice them.

Justices shall take no fee of any, but of the King,

Justices shall give no counsel where the King is party. Regit. 186. 3 Inst. 146, 224. 2 Ed. 3. c. 8. 11 R. 2. c. 10.

Their fees increased for that cause.

tiex lez ditz justices & autres susditz aillent avaunt & teignent leur courts & leur processe & ou leur pleas & buisoignes sont pendantz devaunt eux come si nuls tielx letrez briefs ou maundementz ne fussent venus & certificent nous e nostre conseil de tielx maundements qe fount contrariez a la ley come desuis est dit. Et au syn qe noz ditz justices facent owell droit as toutz gentz en manere desuis dit saunz plus de favour faire a lune partie qe al autre si avoms ordeigne & faire jurer noz justices qils ne prendront desore tant come ils ferrount en office de justice fes ne robe de nulluy sinoun de nous mesmes & qils ne prendront don ne regard per eux ne per autres en prive nen appiert de null homme qe avera affaire devaunt eux per queconque voie sil ne soit mangier ou boier & ceo de petit value & qils ne dorront counseill a nul ground ou petit en cas ou nous sumus partiez ou qe nous touche ou purva toucher en null manere sur peyn destre a nostre volunte du corps terrez & avoir pur faire ent ceo qe nous plerra en cas qils facent la contrarie Et pur cest cause si avoms fait encrefcer lez fees de noz justices per tiel manere qe leur doit resonablement suffire.

## CAP. II.

*Barons of the exchequer shall do right to all men without delay.*

Barons of the exchequer shall do right to all.

**I**N the same manner we have ordained in the right of the barons of the Exchequer, and we have expressly charged them

**E**N mesme la manere avoms ordeigne en droit dez barons de nostre Eschequer & les avoms fait expressement charger

charger ea nostre présence qils  
 facent droit & reason as toutz  
 gentz graundz & petitz & qils  
 facent deliverer le poeple rea-  
 sonablement & saunz delay  
 dez busoignez qils averount  
 affaire devaunt eux saunz estre  
 tariez noundement sicome ad  
 este fait ea temps passe.

them in our presence, That  
 they shall do right and reason  
 to all our subjects great and  
 small; (2) and that they shall  
 deliver the people reasonably  
 and without delay of the bu-  
 siness which they have to do  
 before them, without undue  
 tarrying, as hath been done in <sup>4 Inst. 115.</sup>  
 times past.

## CAP. III.

*Justices of gaol-delivery, &c. and their associates, shall take  
 an oath.*

**I**TEM nous avoms ordeigne  
 qe toutz qe serrount as-  
 signez justices daffises prendre  
 en pays & gaolez deliverer &  
 ceux qe serrount associez a  
 eux facent primerement autiel  
 serement en nostre chauncelle-  
 rie devaunt qe commission lour  
 soit delivere,

**I**TEM, we have ordained, Justices as-  
 signed, &c.  
 That all they which shall shall take an  
 be justices assigned by com-  
 mission to hear and determine, oath.  
 and such as shall be associated  
 to them, and also justices of  
 assises to be taken in the  
 country, and of goal-delivery,  
 and such as shall be assigned  
 and associated to them, shall

make first an oath in certain points, according as to them shall  
 be enjoined by our ccuncil in our chancery, before that any  
 commission be to them delivered,

## CAP. IV.

*None shall maintain any quarrels but their own,*

**I**TEM nous avoms com-  
 maunde & defenduz tout  
 outrement qe null de nostre  
 hoziel ne de ceux qe sount de-  
 vers nous & nostre treschiere  
 compaigne la roigne ou nostre  
 fitz le prince de Gales ou de-  
 vers noz courtz ou prelatz  
 countz barouns nautres  
 graundz ne petitz de la terre  
 de quele estate ou condition  
 qils soient ne preignent que-  
 rels en mayns autres qe lour  
 proprez ne lez mainteignent  
 per eux ne per autres en pri-  
 vee nen appiert pur don pro-  
 messe amiste favour ou hayne  
 ne pur null autre cause en des-  
 tourbance de la ley ou arerif-  
 sement de droit sur payne sui-  
 dit

**I**TEM, we have comman-  
 ded and utterly defended, None shall  
 That none of our house, nor maintain any  
 of them that be about us, nor quarrels but  
 other, which be towards our their own.  
 dear beloved companion the  
 queen, or our son prince of  
 Wales, or towards our courts,  
 nor prelates, earls, barons, nor  
 other great nor small of the  
 land, of what estate or condi-  
 tion they be, shall not take in  
 hand quarrels other than their  
 own, nor the same maintain  
 by them nor by other, privily  
 nor apertly, for gift, promise,  
 amity, favour, doubt, nor  
 fear, nor for none other cause,  
 in disturbance of law and hin-  
 drance of right, upon the  
 pains

pains aforefaid; but that every man may be free to fue for and defend his right in our courts and elfewhere, according to the law. (2) And we have ftraitly commanded our faid fon, and divers earls and other great men, being before us, that they on their behalf shall do to be kept this ordinance without default, and that they fuffer none which be towards them to attempt againft this ordinance by any way.

3Ed. 1. c. 28.  
28Ed. 1. ftat. 3.  
c. 11.  
1Ed. 3. ftat. 2.  
c. 14.  
1 R. 2. c. 4.

dit einz qe chescune homme purra estre frank de fon droit fuere & defendre en noz courtz & aillours folonge la ley. Et fi avoms entirement commaunde a nostre dit fitz le prince & as diversez counteez & autres graundez astantz devers nous qils facent gardier de leur parti cest ordeignauce faunz defaulte & qils ne suffrent null qe sount devers eux riens faire ou attempter countre mesme lordaignauce per qeconqe voie.

## C A P. V.

*Lords and great men shall put those out of their services, which be maintainers of quarrels.*

**I**TEM, *because we be informed, that many bearers and maintainers of quarrels and parties in the country be maintained and borne by lords, whereby they be the more encouraged to offend, and by procurement covine and maintenance of such beurers in the country many people be disherited, and some delayed and disturbed of their right, and some not guilty convicted and condemned or otherwise oppressed, in the undoing of their estate, and in the notorious destruction of our people: We* have commanded and do command, That all the great men from henceforth shall void from their retinue fees and robes all such bearers and maintainers in the country, without shewing to them any aid, favour, or comfort in any manner. And moreover we have ordained to do come before us at a certain day, or before them whom we shall depute of our council, such bearers and maintainers of divers counties, and them do to be diligently examined and charged, that they from henceforth void

Great men shall discharge from their service those who are maintainers.

**I**TEM pur ceo qe nous sumus enformeiz qe plusieurs mesnours & maintenours dez querelx & partiez en pays sount maintenuz & covertz pur seignurs per ont ils sount le plus esbaudez de mesprendre & per procurement covinẽ et maintenance dez tielx meours en pays soient plusieurs gentz disheritẽz & ascuns delaiez & deistourbez en leur droit & ascuns nient coupablez convictedz & condempnez ou autrement oppressez en defesaunce de leur estate & en notorie destruction & oppression de nostre poeple si avoms commaunde & commaundoms qe toutz lez graundez oustent desore en avaunt de leur retenue fees & robez toutz tielx mesnours & maintenours en pays faunz null favour eide ou comfort faire a eux desore en qeconqe manere Et oustre ceo nous avoms ordeigne de faire venir a certain jour devaunt nous ou ceux qe nous deputerons de nostre conseil tielx menours & maintenours dez diversez countees & de lez faire

faire examiner & charger assiduellement qils se oustent desore dez tielz maintenances & procurementz faire en pays en damage de nostre poeple & ceo sur grevouez peynez qe lour serrount monstrez,

void them of such maintenances or other procurements making in the country in damage of our people ; and that upon grievous pains, which to them shall be shewed,

## C A P. VI.

*Justices of assise shall enquire of and punish the misdemeanour of officers and other offenders.*

**I**TEM voloms & avoms ordeigne qe justices as assisez prendre assignez eient sufficeant commission denquere & qils enquerent en lour sessions dez visc' escheatours baillifs dez franchises & leur south-ministrez & auxint dez maintenours communes assisours & jurours en pais sur dez douns regardez & autres profitz qe les ditz ministrez pernent du poeple pur lour officez & de ceo qe atteint a lour office & pur larraie dez panelles mettantz en icelles jurours suspectz & de male fame & de ceo qe lez maintenours assisours & jurours pernent douns regardez & lowers dez partiez dount perdez & damages trop grevouez avicignent a poeple de jour en autre en subversion de la ley & destourbanche de commune droit & de punir toutz ceuz qe ent serrount trevez coupablez selonque ceo qe la raison demande a la suite sibien de Roi come de partie Et sur ceo avoms charge noz chancelier & tresorer doier lez pleintz dez tous ceuz qe pleindre se voudront & de ordiner qe hastive droit & remedie ent soit fait pur quoy vous mandoms qe lez pointz & ordeignances susditz facez ovement monstrez & publier &c. Done a Westmynster, &c.

**I**TEM, we will and have ordained, That the justices assigned to take assises shall have commissions sufficient to inquire, and that they shall inquire in their sessions of sheriffs, escheators, bailiffs of franchises, and their under-ministers, and also of maintainers, common embraceors, and jurors in the country, and of the gifts, rewards, and other profits, which the said ministers do take of the people to execute their office, and that which pertaineth to their office, and for making the array of pannels, putting in the same suspect jurors, and of evil fame, and of that maintainers, embraceors, and jurors do take gifts and rewards of the parties, whereby losses and damages do very grievously come daily to the people, in subversion of the law, and disturbance of common right, and to punish all them which thereof shall be found guilty, according as law and reason requireth, as well at our suit as at the parties. (2) And thereupon we have charged our chancellor and treasurer to hear the complaints of all them which will complain, and to ordain that speedy remedy be thereof made. (3) Wherefore we do command, That thou do cause the said points and ordinances

Justices of assise shall inquire of the demeanor of sheriffs, escheators, bailiffs and other officers, and punish the offender.

published and shewed at such places

places within thy bailiwick as thou ſhalt think good, to the end that they which feel them grieved in the form aforeſaid, may purſue for remedy according to the ſaid ordinance, and that our people may perceive our intent and will in this behalf, and the deſire that we have, that even right may be done to all our ſubjects as well poor as rich, and that the offenders be reſtrained and puniſhed. Dated at *Westminster* the ſeventh day of *March*, the year of our reign of *England* the twentieth, and of *France* the ſeventh.

Regiſt. 186.  
4 Ed. 3. c. 2.  
— 11.  
34 Ed. 3. c. 4.

The ſtatute of labourers, made 23 EDW, III. and  
Anno Dom. 1349.

*Nova Statuta.*

**EDWARD** by the grace of God, &c. to the reverend father in Chriſt, William, by the ſame grace archbiſhop of Canterbury, primate of all England, greeting. *Becauſe a great part of the people, and eſpecially of workmen and ſervants, late died of the peſtilence, many ſeeing the neceſſity of maſters, and great ſcarcity of ſervants, will not ſerve unleſs they may receive exceſſive wages, (2) and ſome rather willing to beg in idleneſs, than by labour to get their living; we, conſidering the grievous incommodities, which of the lack eſpecially of ploughmen and ſuch labourers may hereafter come, have upon deliberation and treaty with the prelates and the nobles, and learned men aſſiſting us, of their mutual counſel, ordained :*

**EDWARDUS** dei gratia &c. Venerabili in Chriſto patri W. &c. Quia magna pars populi & maxime operariorum & ſervientium nuper in peſtilentia moriebatur, nonnulli videntes neceſſitatem dominorum & paucitatem ſervientium, ſervire noluerunt, niſi ſalaria reciperent exceſſiva, & alii mendicare malentes in otio quam per laborem perquirere victum ſuum : nos penſantes gravia que exigentia preſertim cultorum & operariorum huiſmodi provenire poſſent incommoda, ſuper hoc cum prelatiſ nobilibus & peritiſ nobiſ aſſiſtentibus deliberationem habuimus & tractatum ; de quorum unanimi conſilio duximus.

CAP. I.

*Every perſon able in body under the age of ſixty years, not having to live on, being required, ſhall be bound to ſerve him that doth require him, or elſe committed to the gaol, until he find ſurety to ſerve.*

**T**HAT every man and woman of our realm of *England*, of what condition he be, free or bond, able in body, and within the age of threſcore years, not living in merchandize, nor exerciſing any craft, nor having of his own whereof he may live, nor proper land, about whoſe tillage he may himſelf occupy, and not ſerving any other, if he in convenient ſervice

Ex edit.  
Raſtal.

Repealed  
5 Eliz. c. 4.

(his Eſtate conſidered) be required to ſerve, he ſhall be bounden to ſerve him which ſo ſhall him require. And take only the wages, livery, meed, or ſalary, which were accuſtomed to be given in the places where he oweth to ſerve, the xx. year of our reign of *England*, or five or ſix other common years next before. Provided always, That the lords be preferred before other in their bondmen or their land tenants, ſo in their ſervice to be retained: ſo that nevertheleſs the ſaid lords ſhall retain no more than be neceſſary for them. And if any ſuch man or woman, being ſo required to ſerve, will not the ſame do, that proved by two true men before the ſheriff or the bailiffs of our ſovereign lord the King, or the conſtables of the town where the ſame ſhall happen to be done, he ſhall anon be taken by them or any of them, and committed to the next gaol, there to remain under ſtrait keeping; till he find ſurety to ſerve in the form aforeſaid.

## CAP. II.

*If a workman or ſervant depart from ſervice before the time agreed upon, he ſhall be impriſoned.*

**I**TEM, If any reaper, mower, or other workman or ſervant, of what eſtate or condition that he be, retained in any man's ſervice, do depart from the ſaid ſervice without reaſonable cauſe or licence, before the term agreed, he ſhall have pain of impriſonment. And that none under the ſame pain preſume to receive or to retain any ſuch in his ſervice.

Ex edit.  
Rafal:  
Labourers departing from their ſervice.

Rep. 5 Eliz. c. 4.

## CAP. III.

*The old wages, and no more, ſhall be given to ſervants.*

**I**TEM, That no man pay, or promiſe to pay, any ſervant any more wages, liveries, meed, or ſalary than was wont, as afore is ſaid. Nor that any in other manner ſhall demand or receive the ſame, upon pain of doubling of that, that ſo ſhall be paid, promiſed, required, or received, to him which thereof ſhall feel himſelf grieved, purſuing for the ſame. And if none ſuch will purſue, then the ſame to be applied to any of the people that will purſue. And ſuch purſuit ſhall be in the court of the lord of the place where ſuch caſe ſhall happen.

Ex edit.  
Rafal.  
Servants.

Rep. 5 Eliz. c. 4.

## CAP. IV.

*If the lord of a town or manor do offend againſt this ſtatute in any point, he ſhall forfeit the treble value.*

**I**TEM, if the lords of the towns or manors preſume in any point to come againſt this preſent ordinance either by them, or by their ſervants, then purſuit ſhall be made againſt them in the counties, wapentakes, tithings, or ſuch other courts, for the treble pain paid or promiſed by them or their ſervants in the form aforeſaid. And if any before this preſent ordinance hath covenanted with any ſo to ſerve for more wages, he ſhall not be bound by reaſon of the ſame covenant, to pay more

Ex edit.  
Rafal.  
Lords of towns or manors.

more than at another time was wont to be paid to ſuch perſon. Nor upon the ſaid pain ſhall preſume any more to pay.

## CAP. V.

*If any artiſicer or workman take more wages than were wont to be paid, he ſhall be committed to the gaol.*

Ex edit.  
Rafal.  
Artificers.

**I**TEM, That ſadlers, ſkinnners, white-tawers, cordwainers, taylors, ſmiths, carpenters, maſons, tilers, ſhipwrights, carters, and all other artiſicers and workmen, ſhall not take for their labour and workmanſhip above the ſame that was wont to be paid to ſuch perſons the ſaid twentieth year, and other common years next before, as afore is ſaid, in the place where they ſhall happen to work. And if any man take more, he ſhall be committed to the next gaol, in manner as afore is ſaid.

Rep. Eliz. c. 4.

## CAP. VI.

*Viſtuals ſhall be ſold at reaſonable prices.*

Viſtuals ſhall be ſold at a reaſonable price, and viſtuallers ſhall be content with a moderate gain.

**I**TEM, That butchers, fiſh-mongers, regrators, hoſtelers, brewers, bakers, pulters, and all other ſellers of all manner of victual, ſhall be bound to ſell the ſame victual for a reaſonable price, having reſpect to the price that ſuch victual be ſold at in the places adjoining, ſo that the ſame ſellers have moderate gains, and not exceſſive, reaſonably to be required according to the diſtance of the place from whence the ſaid viſtuals be carried. (2) And if any ſell ſuch viſtuals in any other manner, and thereof be convict in the manner and form aforeſaid, he ſhall pay the double of the ſame that he ſo received, to the party damaged, or, in default of him, to any other that will purſue in this behalf. (3) And the mayors and bailiffs of cities, boroughs, merchant-towns, and others, and of the ports of the ſea, and other places, ſhall have power to inquire of all and ſingular which ſhall in any thing offend the ſame, and to levy the ſaid pain to the uſe of them at whoſe ſuit ſuch offenders

Mayors and bailiffs of cities and boroughs ſhall inquire of offenders, and puniſh them.

**I**TEM, quod carniſices piſcenarii hoſtellarii braſiatores piſtores pellutarii & omnes alii venditores victualium quorumcunque teneantur huiusmodi victualia vendere pro pretio rationabili, habita conſideratione ad pretium quo huiusmodi victualia in locis propinquis venduntur, ita quod habeant huiusmodi venditores moderatum lucrum & non exceſſivum, prout diſtantia locorum a quibus victualia huiusmodi carriantur duxerint rationabiliter requirendum. Et ſi quis huiusmodi victualia alio modo vendiderit, & inde in forma predicta convictus fuerit, ſolvat duplum illius quod ſic recepit dampnificato, & in defectu illius alteri qui proſequi voluerit in hac parte; & habeant poteſtatem majores & ballivi civitatum & burgorum villarum mercatoriarum et aliarum ac portuum & locorum maritimorum, ad inquirendum de omnibus & ſingulis qui contra hoc in aliquo deliquerint, & ad penam predictam ad opus illorum ad quorum ſectam huiusmodi delinquentes convicti fuerint levandam

levandam. Et in casu quo iidem major & ballivi executionem premissorum facere neglexerint, & de hoc coram iustitiariis per ipsum regem assignatis convicti fuerint, tunc iidem major & ballivi ad triplum rei sic vendite huiusmodi dampnificato, vel alteri in defectu illius prosequenti solvendum, per eosdem iustitios compellantur, & nichilominus quod versus nos graviter puniantur.

ers shall be convict. (4) And in case that the same mayors and bailiffs be negligent in doing execution of the premises, and thereof be convict before our justices, by us to be assigned, then the same mayors and bailiffs shall be compelled by the same justices to pay the treble of the thing so sold to the party damnified, or to any other in default of him that will pursue; and nevertheless towards us they shall be grievously punished.

13 R. 2. stat. 1.  
c. 8.  
12 Ed. 4. c. 8.  
25 H. 3. c. 2.

## CAP. VII.

*No person shall give any thing to a beggar that is able to labour.*

**I**TEM, because that many valiant beggars, as long as they may live of begging, do refuse to labour, giving themselves to idleness and vice, and sometime to theft and other abominations; none upon the said pain of imprisonment shall, under the colour of pity or alms, give any thing to such, which may labour, or presume to favour them towards their desires, so that thereby they may be compelled to labour for their necessary living: Wherefore our said sovereign lord the King, the xiiii. day of June, the xxiii. year of his reign, hath commanded to all sheriffs of England by divers writs, that they shall do openly to be proclaimed and holden, all and singular the premises in the counties, boroughs, merchant-towns, sea-ports, and other places in their bailiwicks, where to them shall seem expedient: and that they do thereof due execution, as afore is said.

Ex edit.  
Rastal.  
Beggars.

Sheriffs.

Repealed by  
1 Ed. 6. c. 3. &  
21 Jac. 1. c. 28.

## CAP. VIII.

*He that taketh more wages than is accustomedly given, shall pay the surplussage to the town where he dwelleth, towards a payment to the King of a tenth and fifteenth granted to him.*

**S**ubsequently our sovereign lord the King, perceiving by the common complaint, that his people, for such excessive stipend, liveries, and prices, which to such servants, labourers, and workmen were constrainedly paid, be oppressed, and that the disme and quinzime to him attaining might not be paid, unless remedy were therefore provided: regarding also the coactions and manifest extortions, and that there was no man, which against such offenders, did pursue for the said commodity so ordained to be obtained: wherefore it was consonant, that that thing which was ordained to be applied to singular uses, seeing that the same persons did not, nor would not, pursue, should be converted to a publick and common profit, by the advice of his counsel, Hath ordained,

Ex edit.  
Rastal.  
Regist. 189.

ed,



Workmen,  
servants, arti-  
ficers.

éd, That all and fingular workmen, fervants and artificers, as well men as women, of whatfoever eftate or condition they be, taking more for their labours, fervices, and workmanfhip, than they were wont to take the faid xx. year, and other years aforefaid, fhould be affeffed to the fame fum, which they fhall receive over and above, with other fums as well for the time paff, when the ftipend, wages, liveries, and prices were augmented, as for the time then to come. And that the faid whole fum received over and above, fhould be levied of every of them, and gathered to the King's ufe, in alleviation of every of the towns, whereof the faid artificers, fervants, and labourers be, towards the payments of the fums of the difme and quinzime yet running, whereunto the fame towns or people of the fame were affeffed. So that always, the fame difme and quinzime ended, all the fame money, liveries, and prices, or the value of the fame liveries, which, (as afore is faid) fhould be over and above received of them, and every of them, fhould be levied and gathered by them, whom the King will thereto affign, to the King's ufe, in alleviation, and fupportation of the realm of *England*. And that they which for the fame to ferve, or the faid fums fo by them over and above received, and before affeffed to pay, and their crafts and work to exercife do refufe, they fhall be incontinently arrefted by the taxers and collectors of the faid difme and quinzime, or any of them, in every of the faid towns deputed to execute the premisses, or by the bailiffs of the places, or conftables of the towns, when they be thereof certified, and committed to the gaol, there to remain till they have found furety to ferve, and fhall pay that that they fhall above receive, according to the fame ordinances, or till the King fhall fome other thing thereof demand. And always it is the intent of the King and of his council, that according to the firft ordinance it fhould be lawful, and fhall be lawful to every man, to purfue againft all exceeding the fame, or not obeying to the fame, and the thing recovered to be applied to his own ufe. *And therefore our faid fovereign lord the King hath commanded all archbifhops, and bifhops, that they do to be publifhed the premisses in all places of their diocefes, commanding the curates and other fubdiocefans, that they compel their parochians to labour, according to the neceffity of the time, and alfo their ftipendiary priefts of their faid diocefes, which do now exceffively take, and will not, as it is faid, ferve for a competent falary, as hath been accuftomed, upon pain of fufpention and interdiction. And that in no wife ye omit the fame, as ye love us and the commonwealth of our realm. Dated the day and year aforefaid.*

Curates, ftipendiary  
priefts.

Statuta in parlamento tento apud Weſtm' in octabis Purificationis beate Marie Virginis anno regni domini EDWARDI Regis Anglie & Francie; Anglie videlicet viceſimo quinto, regni vero ſui Francie duodecimo.

*A Statute of Labourers, made Anno 25 EDW. III. Stat. 1. and A. D. 1350.*

COME madgairs contre la malice de ſervantz queux furent pareiſſouſes & nient voilantz ſervir apres la peſtilence ſanz trop outrageouſes lowers prendre feut ordine par noſtre ſeignur le Roi & par aſſent des prelatz nobles & autres de ſon conſeil qe tieux maners de ſervantz ſbien hommes come femmes fuſſent tenuz de ſervir receyvantz ſalaries & gages accuſtumez es lieux ou ils devront ſervir lan du regne le dit noſtre ſeignur le Roi vintifme ou cynk ou ſis annz devant et qe meſmes les ſervantz refusant ſervir par autiele manere fuiſſent punys par emprisonement de lour corps ſicome en meſme lordenance eſt contenuz plus au playn ſur quoi commiſſions furent faites as diverſes gentz en cheſcun counte denquere & punir touz ceux qi veniſſent au contraire. Et ja par tant qe done eſt entendre a noſtre dit ſeignur le Roi en ceſt preſent parlement par la petition de la commune qe les ditz ſervantz nient eiantz regard a la dite ordenance mes a lour eſes & linguleres covetiſes ſe retreent de ſervir as grantz ou as autres ſils neyeat liverſons & lowers au double ou treble de ceo qils ſoloient prendre le dit an vintifme & devant a grant damage des grantz & empoveriſement des touz ceux de  
la

WHEREAS late againſt the malice of ſervants, which were idle, and not willing to ſerve after the peſtilence, without taking exceſſive wages, it was ordained by our lord the King, and by aſſent of the prelates, earls, barons, and other of his council, That ſuch manner of ſervants, as well men as women, ſhould be bound to ſerve, receiving ſalary and wages, accuſtomed in places where they ought to ſerve in the twentieth year of the reign of the King that now is, or five or ſix years before; and that the ſame ſervants refuſing to ſerve in ſuch manner ſhould be puniſhed by imprisonment of their bodies, as in the ſaid ſtatute is more plainly contained; (2) whereupon commiſſions were made to divers people in every county to enquire and puniſh all them which offend againſt the ſame. (3) And now forasmuch as it is given the King to underſtand in this preſent parliament, by the petition of the commonalty, that the ſaid ſervants having no regard to the ſaid ordinance, but to their eaſe and ſingular covetiſe, do withdraw themſelves to ſerve great men and other, unleſs they have livery and wages to the double or treble of that they were wont to take the ſaid twentieth year, and before, to the great damage of the great men, and impoveriſhing of all the ſaid commonalty, whereof the ſaid commonalty prayeth remedy: (4).  
where-

*wherefore in the same parliament, by the assent of the said prelates, earls, barons, and other great men of the same commonalty there assembled, to refrain the malice of the said servants, be ordained and established the things under-writ-ten.*

la dite communalte dont il estoit prie par mesme la communalte de remedie par quoi en mesme la parlement par assent des prelatz countes barons & autres grantz & de la dite communalte illoques assemblez pur refreyndre la malice des ditz servantz sont ordenes & estables les choses suzescriptz cest assavoir.

## CAP. I.

*The year and day's wages of servants and labourers in busshandry.*

Ex edit.  
Rastal.  
Wages of labourers.

**F**IRST, That carters, ploughmen, drivers of the plough, shepherds, swineherds, deies, and all other servants, shall take liveries and wages, accustomed the said twentieth year, or four years before, so that in the country, where wheat was wont to be given, they shall take for the bushel ten pence, or wheat at the will of the giver, till it be otherwise ordained. And that they be allowed to serve by a whole year, or by other usual terms, and not by the day. And that none pay in the time of farcling or hay-making but a penny the day. And a mower of meadows for the acre five pence, or by the day five pence. And reapers of corn in the first week of *August* two pence, and the second three pence, and so till the end of *August*, and less in the country where less was wont to be given, without meat or drink, or other courtesy to be demanded, given, or taken. And that all workmen bring openly in their hands to the merchant towns their instruments, and there shall be hired in a common place and not privy.

Mower.

Reaper.

Rep. 5 Eliz. c. 4.

## CAP. II.

*How much shall be given for threshing all sorts of corn by the quarter. None shall depart from the town in summer where he dwelt in winter.*

Ex edit.  
Rastal.  
Thresher.

**I**TEM, That none take for the threshing of a quarter of wheat or rye over ii. d. ob. and the quarter of barley, beans, pease, and oats, i. d. ob. if so much were wont to be given, and in the country, where it is used to reap by certain sheaves, and to thresh by certain bushels, they shall take no more nor in other manner than was wont the said xx. year and before. And that the same servants be sworn two times in the year before lords, stewards, bailiffs, and constables of every town, to hold and do these ordinances. And that none of them go out of the town, where he dwelleth in the winter, to serve the summer, if he may serve in the same town, taking as before is said. Saving that the people of the counties of *Stafford*, *Lancaster*, and *Derby*, and people of *Craven*, and of the marches of *Wales* and *Scotland*, and other places, may come in time of *August*, and labour in

Servants sworn.

in other counties, and safely return, as they were wont to do before this time. And that those, which refuse to make such oath, or to perform that that they be sworn to, or have taken upon them, shall be put in the stocks by the said lords, stewards, bailiffs, and constables of the towns by three days or more, or sent to the next gaol, there to remain, till they will justify themselves. And that stocks be made in every town by such occasion betwixt this and the feast of *Pentecost*.

Regist. 189.  
Rep. 5 Eliz. c. 4.

Stocks.

### C A P. III.

*The wages of several sorts of artificers and labourers.*

**I**TEM, That carpenters, masons, and tilers, and other workmen of houses, shall not take by the day for their work, but in manner as they were wont, that is to say; A master carpenter, iii. d. and an other ii. d. A master free mason iii. d. and other masons iii. d. and their servants i. d. ob. tylers iii. d. and their knaves i. d. ob. and other coverers of fern and straw ii. d. and their knaves i. d. ob. plasterers and other workers of nudwalls, and their knaves, by the same manner, without meat or drink. s. from *Easter* to Saint *Michael*. And from that time forwards, according to the rate and discretion of the justices, which should be thereto assigned. And that they that make carriage by land or by water, shall take no more for such carriage to be made, than they were wont the said xx. year, and iii. years before.

Ex edit.  
Rastal.  
Carpenters,  
masons, tilers,  
thatchers,  
mudwall-  
makers.

Rep. 5 Eliz. c. 4.

### C A P. IV.

*Shoes, &c. shall be sold as in the 20th year of King Edward the 3d. Artificers sworn to use their crafts as they did in the 20th year of the same King.*

**I**TEM, That cordwainers and shoemakers, shall not sell boots nor shoes, nor none other thing touching their mystery, in any other manner than they were wont the said xx. year, and that goldsmiths, sadlers, horseshmiths, spurriers, tanners, curriers, awers of leather, taylors, and other workmen, artificers and labourers, and all other servants here not specified, shall be sworn before the justices, to do and use their crafts and offices in the manner as they were wont to do the said xx. year, and in the time before, without refusing the same because of this ordinance. And if any of the said servants, labourers, workmen, or artificers, after such oath made, come against this ordinance, he shall be punished by fine, and ransom, and imprisonment after the discretion of the justices.

Cordwainers,  
shoemakers.  
Artificers  
sworn.

Repealed by  
5 Eliz. c. 4. &  
1 Jac. 1. c. 22.

### C A P. V.

*The several punishments of persons offending against this statute.*

**I**TEM, That the said stewards, bailiffs, and constables of the said towns, be sworn before the same justices, to inquire diligently by all the good ways they may, of all them that come against this ordinance, and to certify the same justices of their

Ex edit.  
Rastal.

Stewards, bailiffs, constables. rames at all times, when they shall come into the country to make their sessions, so that the same justices in certification of the same stewards, bailiffs, and constables, of the names of the rebels, shall do them to be attached by their body, to be before the said justices, to answer of such contempts, so that they make fine and ransom to the King, in case they be attainted. And moreover to be commanded to prison, there to remain, till they have found surety, to serve, and take and do their work, and to sell things vendable in the manner aforesaid. And in case that any of them come against his oath, and be thereof attainted, he shall have imprisonment of forty days. And if he be another time convict, he shall have imprisonment of a quarter of a year, so that at every time that he offendeth and is convict, he shall have double pain. And that the same justices, at every time they come into the country, shall enquire of the said stewards, bailiffs, and constables, if they have made a good and lawful certificate, or any conceal for gift, procurement, or affinity, and punish them by fine and ransom, if they be found guilty. And that the same justices have power to enquire and make due punishment of the said ministers, labourers, workmen and other servants. And also of hostlers, herbergers, and of those that sell victual by retail, or other things here not specified, as well at the suit of the party, as by presentment, and to hear and determine, and put the things in execution by the *exigent* after the first *capias*, if need be, and to depute other under them, as many and such as they shall see best for the keeping of the same ordinance. And that they, which will sue against such servants, workmen, labourers, and artificers, for excess taken of them, and they be thereof attainted at their suit, they shall have again such excess. And in case that none will sue, to have again such excess, then it shall be levied of the said servants, labourers, workmen and artificers, and delivered to the collectors of the *quinzime*, in alleviation of the towns where such excesses were taken.

Hostlers, victuallers.  
Rep. 5 Eliz. c. 4.

### CAP. VI.

*Sheriffs, constables, bailiffs, gaolers, nor other officers, shall exact any thing of the same servants. The forfeitures of servants shall be employed to the aid of dismes and quinzimes granted to the King by the commons.*

Ex edit.  
Rastal.

Sheriffs, constables, bailiffs, gaolers, clerks of justices, &c.

Justices.

**I**TEM, That no sheriffs, constables, bailiffs, and gaolers, the clerks of the justices, or of the sheriffs, nor other ministers whatsoever they be, take any thing for the cause of their office of the same servants, for fees, suit of prison, nor in other manner, and if they have any thing taken in such manner, they shall deliver the same to the collectors of *dismes* and *quinzimes*, in aid of the commons, for the time that the *disme* and *quinzime* doth run, as well for the time past, as for the time to come. And that the said justices enquire in their sessions, if the said ministers have any thing received of the same servants, and that that they shall find by such inquests, that the said ministers have received,

the

the ſame juſtices ſhall levy of every of the ſaid miniſters, and deliver to the ſaid collectors, together with the exceſs and fines and ransoms made, and alſo the amerçiements of all them which ſhall be amerced before the ſaid juſtices, in alleviation of the ſaid towns, as afore is ſaid. And in caſe the exceſs found in one town doth exceed the quantity of the *quinzime* of the ſame town, the remnant of ſuch exceſs ſhall be levied and paid by the ſaid collectors to the next poor towns, in aid of their *quinzime*, by advice of the ſaid juſtices. And that the fines and ransoms, exceſſes and amerçiements of the ſaid ſervants, labourers and artiſicers, for the time to come running of the ſaid *quinzime*, be delivered to the ſaid collectors, in the form aforeſaid, by indentures to be made betwixt them and the ſaid juſtices, ſo that the ſame collectors may be charged upon their accompt by the ſaſſie indentures, in caſe that the ſaid fines, ransoms, amerçiements, and exceſſes be not paid in aid of the ſaid *quinzime*. And ſelling the ſaid *quinzime*, it ſhall be levied to the King's uſe, and answered to him by the ſheriffs of the counties.

Fines.

2 Bulſtr. 335d

## CAP. VII.

*The juſtices ſhall hold their ſeſſions four times a year, and at all times needful. Servants which flee from one country to another ſhall be committed to priſon.*

**I**TEM, That the ſaid juſtices make their ſeſſions in all the counties of *England* at the leaſt four times a year, that is to ſay, at the feaſt of the Annunciation of our Lady Saint *Margaret*, Saint *Michael*, and Saint *Nicholas*. And alſo at all times that ſhall need, according to the diſcretion of the ſaid juſtices. And that thoſe that ſpeak in the preſence of the ſaid juſtices, or other things do in their abſence or preſence, in encouraging or maintenance of the ſaid ſervants, labourers or artiſicers againſt this ordinance, ſhall be grievouſly puniſhed by the diſcretion of the ſame juſtices. And if any of the ſaid ſervants, labourers, or artiſicers do flee from one county to another, becauſe of this ordinance, that the ſheriffs of the county where ſuch fugitive perſons ſhall be found, ſhall do them to be taken, at the commandment of the juſtices of the counties from whence they ſhall flee, and bring them to the chief gaol of the ſame county, there to abide till the next ſeſſions of the ſame juſtices. And that the ſheriffs return the ſame commandments before the ſame juſtices at their next ſeſſions. And that this ordinance be holden and kept, as well in the city of *London*, as in other cities and boroughs, and other places throughout the land, as well within franchiſes as without.

Ex edit.

Raſſal.

Juſtices ſeſſions.

Servants, labourers, artiſicers. Sheriffs.

Altered by

2 H. 5. c. 4.

Rep. 5 Eliz. c. 4.

A statute made Anno 25 EDW. III. stat. 2. and Anno Dom. 1350. of those that be born beyond sea.

*In what place bastardy pleaded against him that is born out of the realm shall be tried.*

OUR lord the king, at his parliament holden at Westminster, at the utas of the purification of our Lady, the year of his reign of England the five and twentieth, and of France the twelfth, considering the great mischiefs and damages which have happened to the people of his realm of England, as well because that the statutes ordained before this time have not been holden and kept as they ought to be, as because of the mortal pestilence that late reigned, and willing to provide for the quietness and common profit of his said people convenient remedy; therefore by the assent of the prelates, earls, barons, and other great men, and all the commons of his said realm summoned to the parliament, hath ordained and established the things underwritten, *videlicet*, (2) because that some people be in Doubt, if the children born in the parts beyond the sea, out of the ligeance of England, should be able to demand any inheritance within the same ligeance, or not, whereof a petition was put in the parliament late holden at Westminster, the seventeenth year of the reign of our lord the King that now is, and was not at the same time wholly assented; (3) our lord the King, willing that all doubts and ambiguities should be put away, and the law in this case declared and put in a certainty, hath charged the said prelates, earls, barons, and other wise men of his council, assembled

NOSTRE Seignur le Roi a son parlement tenu a Westminster a les octaves de la purification de nostre Dame lan de son regne dEngleterre vintisme quint & de France douzisme considerant les grantz meschiefs & damages que sont avenuz au poeple de son roialme dEngleterre sibien pur ce que les estatutz devant ces heures ordenez nount mie este tenuz & gardez come ils devoient come par cause de la pestilence mortiele que nadgairs dura et veullant purvoier a quiete & commune profit de son poeple sur ce remede convenable par assent de prelatz countz barons & autres grantz & tote la communalte de son dit roialme au dit parlement somons ad ordene & establi les choses souzscriptes cest assavoir pur ce que aucunes gentz estoient en awere si les enfantz neez es parties de dela dehors la ligeance dEngleterre ferroient ables a demander heritage deinz meisme la ligeance ou nemie de quoi petition feust mis autrefoitz en parlement tenuz a Weymonster lan nostre dit seignur le Roi dys & septisme & ne feust mie a tieu temps en tout assentu nostre dit seignur le Roi veulliant que totes doubttes & awers feussent oustez & la loi en ce cas declaree & mis en certain fist charger les prelatz countes barons & autres sages de son conseil assemblez a ce parlement a faire deliberation sur cel point Les queux dur assen

assent ount dit que la lei de la corone d'Engleterre est & ad este touz jours tiele que les enfantz des Rois d'Engleterre queu part qils soient neez en Engleterre ou aillours sont ables & deivent porter heritage apres la mort leur auncestres le quele lei nostre seigneur le Roi les ditz prelatz countz barons & autres grantz & tote la communalte assemblez el dit parlement approeuent et asserment pur toutz jours. Et en droit des autres enfantz neez hors de la ligeance d'Engleterre en temps nostre dit seigneur le Roi si sont ils uniement acordez que Henri fitz Johan de Beaumound Elizabeth fill Guy de Bryan et Giles fitz Rauf Daubeneye et autres queux le Roi vorra nomer qi nasquirent par dela hors de la ligeance d'Engleterre soient desore ables davoit et enjoier leur heritages apres la mort leur auncestres tottepartz deinz la ligeance d'Engleterre si avant come ceux qi nasquirent deinz meisme la ligeance Et que toutz les enfantz heriters qi serront neez desore dehors la ligeance le Roi des queux enfantz les pierre et miere au temps du nestre sont et serront a la foi et de la ligeance du Roi d'Engleterre eient et enjoient meismes les benefice et avantage daver et porter heritage deinz la dite ligeance come les autres heriters avantditz en temps avenir Issint totes soitz que les mieres de tieux enfantz passent la meer par conge et volunte de leur barons. Et si alleggee soit contre nul tiel nee par dela qil est bastard en cas ou levesqe doit avoir enoissance de bastardie soit maunde a levesqe du lieu ou la demande est de certifier la

in this parliament to deliberate upon this point; all which of one assent have said, That the law of the crown of *England* is, and always hath been such, that the children of the Kings of *England*, in whatsoever parts they be born, in *England* or elsewhere, be able and ought to bear the inheritance after the death of their ancestors; which law our said lord the King, the said prelates, earls, barons, and other great men, and all the commons assembled in this parliament, do approve and affirm for ever. (4) And in the right of other children born out of the ligeance of *England*, in the time of our lord the King, they be as one mind accorded, that *Henry* son of *John de Beaumound*, *Elizabeth* daughter of *Guy de Bryan*, and *Giles* son of *Ralph Davobeney*, and other which the King will name, which were born beyond the sea, out of the ligeance of *England*, shall be from henceforth able to have and enjoy their inheritance after the death of their ancestors, in all parts within the ligeance of *England*, as well as those that should be born within the same ligeance. (5) And that all children inheritors, which from henceforth shall be born without the ligeance of the King, whose fathers and mothers at the time of their birth be and shall be at the faith and ligeance of the King of *England*, shall have and enjoy the same benefis and advantages, to have and bear the inheritance within the same ligeance, as the other inheritors aforesaid in time to come; so always, that the mothers of such children do pass the sea by the licence and wills

The King's children be inheritable in *England*, whersoever they be born.

The children of others born beyond the Sea.  
42 Ed. 3. c. 10.  
Bro. Denizen. 6. 14.

Dyer, 224.  
Co. Lit. 8.  
Cro. Eliz. 3.  
Cro. Car 602.  
1 Ventr. 428.  
4 Geo. 2. c. 27.



Trial of bastardy pleaded against him which is born out of England. Raft. 105.

of their husbands. (6) And if it be alledged against any such born beyond the sea, that he is a bastard, in case where the bishop ought to have cognisance of bastardy, it shall be commanded to the Bishop of the place where the demand is, to certify the King's court where the plea thereof hangeth, as of old times hath been used in the case of bastardy alledged against them which were born in England.

court le Roi ou le ple ent pendre si come auncienement ad este usee en cas de bastardie a legge contre ceux qui nasquirent en Engleterre.

A statute for the clergy, made Anno 25 EDW. III, stat 3. and Anno Dom. 1350.

**O**UR lord the King, seeing and examining by good deliberation the petitions and articles delivered to him in his parliament holden at Westminster in the feast of St. Hillary, the year of his reign of England the five and twentieth, and of France the twelfth, by the honourable father in God, Simon archbishop of Canterbury, and other bishops of his province, upon and for certain grievances, which they alledged to be done to holy church, and to the clergy, against the privileges of holy church; and then they prayed, that a convenient remedy might be thereof ordained, to the reverence of God and of holy church; by the assent of his parliament, for him and his heirs willet and granteth the points underwritten.

**N**OSTRE seigneur le Roi veues & examinez par bone deliberation les petitions & articles a lui balliez en son parlement tenuz a Westmonster en la feste de saint Hillar lan de son regne d'Engleterre vintisme quint et de France duzisme par l'onorable pere en Dieu Simon archevesque de Cantorbirs & autres evesques de sa province sur & pur certaines grevances queles ils disoient estre faites a seinte eglise & a la clergie encontre les privileges de seinte eglise & dunk ils prierent qe covenable remede en fuist ordene al reverence de Dieu & de seinte eglise & de lassent de son dit parlement pur lui & ses heirs voet & grant les pointz southescriptz.

CAP. I.

*All privileges granted to the clergy confirmed. The King nor his heirs shall present to a benefice of another's right of any time of his progenitors.*

**F**IRST, That all the privileges and franchises granted heretofore to the said clergy be confirmed and holden in all points. (1) And as touching presentments to be made by our lord the King, or any of his heirs, to a benefice of holy church

**P**Rimerement qe toutz les franchises & privileges grantez par devant a la dite clergie soient confermez & tenuz en toutz pointz. Et quant as presentementz affaire par nostre dit seigneur le Roi ou nul de ses heirs as benefices de seinte eglise

The King nor his heirs shall not present to a benefice of another's right

se en autri droit par auncien  
 title nostre seigneur le Roi al hon-  
 neur de Dieu & de seinte eglise  
 voet & grant de meisme lassent  
 de font dit parlement qe desore  
 il ne nul de ses heirs ne prendra  
 title de presenter a nul benefice  
 en autri droit de nul temps de  
 ses progenitours ne qe nul pre-  
 lat de son roialme soit tenuz de  
 recevoir nul tiel presentement  
 afaire ne ent faire execution ne  
 nule Justice del une place ne  
 del autre passe ne deive sur nul  
 tiel presentement affaire plee  
 tenir ou judgement doner mes  
 qe le dit Roi et ses heirs soi-  
 ent de toutz tieux presente-  
 mentz forbarrez as touz jours  
*saveant au dit Roi & a ses heirs*  
*toutz tielx presentementz* en au-  
 tri droit de tout son temps & de  
 temps avenir.

*presentments* in another's right fallen, or to fall, of all histime,  
 and of the time to come.

church in another's right by old  
 title, our said lord the King,  
 to the honour of God and holy  
 church, willeth and granteth,  
 of the assent of the said parlia-  
 ment, that from henceforth he  
 nor any of his heirs shall not  
 take title to present to any be-  
 nefice in any other's right of  
 any time of his progenitors;  
 (3) nor that any prelate of his  
 realm be bound to receive any  
 such presentment to be made,  
 nor to do thereof any executi-  
 on; (4) nor that any justice  
 of the one place, or the other,  
 may not nor ought not to hold  
 plea, or give judgement upon  
 any such presentment to be  
 made; (5) but that the said  
 King and his heirs be for ever  
 hereafter clearly barred of all  
 such presentments; (6) *saving*  
*always to him and his heirs all such*

of any time of  
 his progeni-  
 tors.

Vide Hill.  
 9 Car. 1. the  
 King v.  
 Pryst.  
 Cro. Car. 355.  
 W. Jones. 339.

### CAP. II.

*A repeal of the statute of Anno 14 Ed. 3. stat. 4. cap. 2. 2.,  
 touching the King's presentment to a church of another's  
 rights.*

**E**T pur ce qe en parlement  
 tenuz a Westmonstier lan  
 du regne nostre dit seigneur le  
 Roi quatorzisme entre autres  
 choses adonques grantez as pre-  
 latz & a seinte eglise estoit orde-  
 ne qe le Roi ne prendroit  
 title de presenter a nul benefice  
 en autri droit forsque de vacati-  
 ons qe aviendroient des tielx  
 benefices deinz trois annz pro-  
 cheins devant son presentement  
 quele chose semblaist trop pre-  
 judiciele au Roi & a ses heirs  
 Acorde est en cest parlement  
 qe la dite ordinance quant a ce  
 point soit tenu pur nule & qe  
 toutz les autres articles conte-  
 nus en meisme lordenance &  
 grantes

**A**ND because in the parlia-  
 ment holden at Westmin-  
 ster the fourteenth year of the  
 reign of our lord the King that  
 now is, amongst other things then  
 granted to the prelates of holy  
 church, it was ordained, That the  
 King should not take title to pre-  
 sent to any benefice in another's  
 right, but of the voidances which  
 shall happen of such benefices with-  
 in three years next before his pre-  
 sentment, which thing seemeth  
 very prejudicial to the King and  
 his heirs; (2) it is accorded in  
 this present parliament, That  
 the said ordinance, as to this  
 point, shall be holden for none;  
 but nevertheles, that all the  
 other

A repeal of  
 the statute  
 14 Ed. 3.  
 stat. 4. c. 2.  
 touching the  
 King's pre-  
 sentment to a  
 church in an-  
 other's right,

Stewards, bailiffs, constables. Hostlers, victuallers. Rep. 5 Eliz. c. 4.

riames at all times, when they shall come into the country to make their sessions, so that the same justices in certification of the same stewards, bailiffs, and constables, of the names of the rebels, shall do them to be attached by their body, to be before the said justices, to answer of such contempts, so that they make fine and ransom to the King, in case they be attainted. And moreover to be commanded to prison, there to remain, till they have found surety, to serve, and take and do their work, and to sell things vendable in the manner aforesaid. And in case that any of them come against his oath, and be thereof attainted, he shall have imprisonment of forty days. And if he be another time convict, he shall have imprisonment of a quarter of a year, so that at every time that he offendeth and is convict, he shall have double pain. And that the same justices, at every time they come into the country, shall enquire of the said stewards, bailiffs, and constables, if they have made a good and lawful certificate, or any conceal for gift, procurement, or affinity, and punish them by fine and ransom, if they be found guilty. And that the same justices have power to enquire and make due punishment of the said ministers, labourers, workmen and other servants. And also of hostlers, herbergers, and of those that sell victual by retail, or other things here not specified, as well at the suit of the party, as by presentment, and to hear and determine, and put the things in execution by the *exigend* after the first *copias*, if need be, and to depute other under them, as many and such as they shall see best for the keeping of the same ordinance. And that they, which will sue against such servants, workmen, labourers, and artificers, for excess taken of them, and they be thereof attainted at their suit, they shall have again such excess. And in case that none will sue, to have again such excess, then it shall be levied of the said servants, labourers, workmen and artificers, and delivered to the collectors of the *quinzime*, in alleviation of the towns where such excesses were taken.

## CAP. VI.

*Sheriffs, constables, bailiffs, gaolers, nor other officers, shall exact any thing of the same servants. The forfeitures of servants shall be employed to the aid of dismes and quinzimes granted to the King by the commons.*

Ex edit.  
Rastal.

Sheriffs, constables, bailiffs, gaolers, clerks of justices, &c.

Justices.

**I**TEM, That no sheriffs, constables, bailiffs, and gaolers, the clerks of the justices, or of the sheriffs, nor other ministers whatsoever they be, take any thing for the cause of their office of the same servants, for fees, suit of prison, nor in other manner, and if they have any thing taken in such manner, they shall deliver the same to the collectors of *dismes* and *quinzimes*, in aid of the commons, for the time that the *disme* and *quinzime* doth run, as well for the time past, as for the time to come. And that the said justices enquire in their sessions, if the said ministers have any thing received of the same servants, and that that they shall find by such inquests, that the said ministers have received,

the

pression de jurisdiction de seinte eglise si est accorde & grante par le Roi en son dit parlement que touz maneres des clerks auxibien seculers come religieux qi serront desore convictez devant les justices seculers pur quecomques felonies ou tresons touchantes autres personnes que le Roi meismes ou sa roiale majeste eient & enjoient franchement desore privilege de seinte eglise & soient faunz nule empelchement ou delai livez a les ordinaries eux demandantz. Et pur ce grant le dit ercevesque promist au Roi que sur le punissement et sauve garde de tieux clerks meffieurs que ferront ensy as ordenaires livez il ent ferroit ordenance covenable par la quelle tieux clerks ent serroient salvement gardez & duement punitz ensy que nul clerc emprendreit mesbaudure de ensy meffaires par defaute de chastisement.

*pression of the jurisdiction thereof;* (2) it is accorded and granted by the said King in his parliament, That all manner of clerks, as well secular as religious, which shall be from henceforth convict before the secular justices aforesaid, for any treasons or felonies touching other persons than the King himself, or his royal majesty, shall from henceforth freely have and enjoy the privilege of holy church, and shall be, without any impeachment or delay, delivered to the ordinaries demanding them. (3) And for this grant the said archbishop promiseth to our lord the King, that upon the punishment and safe keeping of such clerks offenders, which so shall be delivered to the ordinaries, he shall thereof make a convenient ordinance, whereby they shall be safely kept and duly punished, so that no clerk shall take courage to offend for default of correction.

Bro. clerg. 25.  
18 El. c. 7.  
A clerk which shall be convict of any treason or felonies not touching the King shall be delivered to the ordinary.

## CAP. V.

*A clerk shall be arraigned of all his offences at once.*

**I**TEM coment que clerks airesnes de felonie devant justices seculers que chalengeient leur clergie & seurent demandez par le ordinaire del lieu eient estees lovent avant ces heures remandez a la gaole par les ditz justices surmettant a eux que homme ad autre chose a dire devers eux nient meins pur ce que commune lei est que clerc en tieu cas ne doit estre remande a la gaole mes doit meintenant estre arenee de tout ou autrement delivres al ordinaire acorde est que cest point soit garde par toutes maneres des justices & jugges seculers par toute nostre roialme.

**I**TEM, *although that clerks arraigned of felony before secular justices, which challenged their clergy, and were demanded by the ordinary of the place, have been often before this time remanded to the gaol by the said justices, surmising to them, that other things be to be said against them; (2) nevertheless because the common law is, That a clerk in such case ought not to be remanded to the gaol, but ought to be presently arraigned of all, or otherwise delivered to the ordinary; It is accorded, That this point be kept by all manner of justices and judges secular throughout our realm.*

Dyer, 214.  
Bro. clerg. 24.  
30.  
Kelyng, 41, 42.  
8 El. c. 4.  
18. El. c. 7.

A clerk shall be arraigned of all his offences at once.

## CAP. VI.

*A bishop's temporalities shall not be seised for a contempt.*

1 Ed. 3. stat. 2.  
c. 2.  
24 Ed. 3. stat.  
4. c. 3.

**ITEM**, Because the temporalities of archbishops and bishops have been ofentimes taken into the King's hands for contempts done to him upon writs of Quare non admittit, and likewise for divers other causes, whereof the said prelates have prayed the King, that no such taking shall from henceforth be made, *first* they be grown of the land; (2) The King will and granteth in the same parliament, That all the justices which from henceforth shall give judgement against any prelate of the land in such case, or the like, that they in such case may freely receive, and from henceforth shall receive for the contempt so judged, a reasonable fine of the party so condemned, according to the quantity of the trespass, and after the quality of the contempt, incontinently at the time of the judgement, if the party offer the same, or otherwise after the judgement, at what time the party will offer himself; (3) and if it need, the chancellor and the treasurer shall be called to the receipt of the said fines.

A bishop's temporalities shall not be seised for a contempt.

**ITEM** pur ce que les temporalites des archevesques & évesques ont esté souvent foitz pris en la main le Roi par contempt fait a lui sur le brief Quare non admittit & ensement par plusieurs autres causes dont les ditz prelatz ont priez au Roi que nule tiels prise se face desore desicome ils sont pieres de la terre si voet le Roi & grant en meisme cest dit parlement que tous les justices que rendront desore les juggementz contres nul prelat de la terre en tiel cas ou semblable qils en tiel cas pussent franchement recevoir & desore reçoivent pur le contempt en si juge fyn resonable de la partie ensy condempnee selonc la quantite du trespass & selonc la qualite du contempt incontinens au temps de juggement si la partie loffre ou autrement apres le jugement a quelle heure que la partie le voet offerre & sil bysoigne le chancellor & tresorer soient a la receite de dit fyn appellez.

## CAP. VII.

*The ordinary may counterplead the King's title for a benefice fallen by lapse.*

**ITEM**, Because that many presentments to divers benefices of holy church, as well of the patronage of lay people, as of people of holy church, which were void by six months, whereof the collation of such benefices by lapse of time was devolute, and of right pertaining to the ordinaries of the places, were recovered by the King by judgements thereof given of the assent

**ITEM** pur ce que plusieurs presentementz as diverses benefices de seinte eglise sibien de patronage de laioz gentz come de gentz de seinte eglise estoient voides par fys mois dont les collations de tiels benefices par laps de temps estoient devolutz & de droit appartenantz a les ordinaries des lieux estoient recoverez par le Roi

Roi par judgement ent rendu de lassent des ditz patrons en deceit de les collations ensi faites resonablement par les ditz ordinaries en queux plees a eux defendre & contrepleder le droit le Roi ensi clamée les ordinaries ne leurs clerks ne queux ils devoient tieux benefices n'estoient receuz a monstrier ou defendre leur droit en celle partie la quele chose n'estoit mie resonable par quoi le Roi de lassent de son dit parlement voet & grant par lui & par ses heirs ce quant archevesqes evesqes ou autre ordinarie ad done un benefice de droit a lui devolut par laps de temps & apres le Roi presente & preigne la seute devers un patron qi par cas voet souffrir ce le Roi recouvre saunz action trie en deceit de lordinair ou le possesseur des ditz benefices ce en tien cas & en toutes autres cases semblables ou le droit le Roi nest pas trie l'archevesqes evesqes ordinair ou le possesseur soient receuz a contrepleder le titre pris par le Roi & d'avoir son respons & a monstrier & defendre son droit sur la matire tout soit il ce il riens cleime el patronage en cas faldit.

*assent of the said patrons, in deceit of the said collations so made reasonably by the said ordinaries; in which pleas the ordinaries nor their clerks, to whom they did give such benefices, were not received to shew nor defend their rights in this behalf, nor to counterplead the King's right so claimed, which is not reasonable: Wherefore the King, by the assent of the said parliament, will and granteth for him and his heirs, That when archbishops, bishops, or other ordinaries, have given a benefice of right devolute to him by lapse of time, and after the King presenteth and taketh the suit against the patron, which percase will suffer that the King shall recover without action tried, in deceit of the ordinary, or the possessor of the said benefices, that in such case, and all other cases like, where the King's right is not tried, the archbishop or bishop, ordinary or possessor, shall be received to counterplead the title taken for the King, and to have his answer, and to shew and defend his right upon the matter, although that he claim nothing in the patronage in the case aforesaid.*

1 Leonard, 45.  
7 Co. 26.  
Hob. 161. 318.  
Savill, 108.  
1 Mod. 279.

An ordinary may counterplead the King's title for a benefice fallen to him by lapse.  
13 Ed. 1. stat. 1. c. 5.  
ant. cap. 3.  
13 R. 2. stat. 1. c. 1.  
4 Hen. 4. c. 22.

### C A P. VIII.

*Cognisance of avoidance of benefices appertaineth to the ecclesiastical judge.*

**I**TEM come les ditz prelatz soient monstrez & priez remede sur ce ce les justices seculers acrochent a eux conifance de voidance des benefices de droit quelle conifance & discussion attient a juge de feinte eglise & nient a lai juge si voet le Roi & grante ce les dites justices desore reçoivent sieles chalenges faites ou affaire par quecumqes prelatz de feinte eglise

**I**TEM, *Whereas the said prelates have showed and prayed remedy, for that the secular justices do accroach to them cognisance of voidance of benefices of right, which cognisance and the discussing thereof pertaineth to the judges of holy church, and not to the lay judge; (2) the King will and granteth, That the said justices shall from henceforth receive such chalenges made or to be made*

Cognisance of voidance of benefices belongs to the ecclesiastical judge.

made by any prelate of holy church in this behalf, and moreover thereof shall do right and reason. eglise en celle partie & outre ent facent droit & reson.

## C A P. IX.

*Indictments of ordinaries for extortion shall be put in certainty.*

**I**TEM, *Because that the King's justices do take indictments of ordinaries, and of their ministers, of extortions and oppressions, and impeach them, without putting in certain, wherein or whereof, or in what manner they have done extortion;* (2) the King will, That his justices shall not from henceforth impeach the ordinaries, nor their ministers, because of such indictments of general extortions or oppressions, unless they say, and put in certain, in what thing, and of what, and in what manner the said ordinaries or their ministers have done extortions or oppressions,

Indictments of ordinaries, or their ministers for extortion must be put in certainty.

**I**TEM pur ce que les justices le Roi parnent enditementz des ordinaries & de leurs ministres de extorsions & oppressions & les empeschent launz ce qils mettent en certain en quoi ou de qi ou en quelle manere ils ount fait extorsion si voet le Roi que les justices le Roi ne empeschent desore les ordinaries ne lour ministres par cause de tieux enditementz des generals extorsions ou oppressions sils ne mettent ou dient en certain en quelle chose & de qi & en quelle manere les ditz ordinaries ou leurs ministres ount fait extorsions ou oppressions,

Le Roi a touz ceux as queux cestes lettres vendront saltz. Come en nostre darrein parlement tenuz a Westm' en la festa de seint Hiller darrein passe entre autres petitions & articles mises avant en meisme le parlement par lonorable pierre en Dieu Simon ercevesqe de Canterbirs pur lui & ses confrers evesques de sa province des certaines grevances queles ils disoient estre faites a seinte eglise oncontre les privileges dycelle feust chalenge depar la dite clergie que quecumqes clerics conviçtz de ce que ils avoient fauxe ou contrefait nostre monoie ou nostre grant ou privee seals deussent enjoier privilege de seinte eglise & que leglise avoit este en possession de tieux. Nous pur cause que nous nooons mie pur autres grosses busoignes entendre a la discussion de ce point voillantz auxibien sauver lestat de seinte eglise come le nostre volons & grantons que cest article soit mis en suspens tanqe a nostre prochein parlement en le quel ce point purra plus pleinement estre discute & la verite ent trie et que si en lemeen temps nul cleric soit conviçt qil eit fauxe ou contrefait la monoie de la terre ou ascun de noz sealx avantditz qil ne soit pur le temps mis a la mort par agarde de jugge seculer mes remys a prifone a y demorer en sauvegard launz nulle liverance faire al ordenair tanqe autrement en seit ordene. En tesmoignance de quelle chose nous avoms fait faire cestes noz lettres patentes. Don' a Westm' le xx. jour de Feverer lan de nostre regne d'Engleterre vintisme sisme & de France treszisme.

Statute of cloths, made Anno 25 EDW. III. stat. 4.  
and Anno Dom. 1350.

## CAP. I.

*The aulneger shall be sworn to do his duty. The penalty if he offend.*

**I**TEM, it is accorded and assented in the same parliament, That all manner of cloths vendible which shall be sold for whole cloths in *England*, in whose hands of the merchants of the realm of *England*, or other of the same realm, they be found, shall be measured by the King's aulneger and his deputies in all cities, boroughs, and other towns within franchises and without, as well in the city of *London* as elsewhere. And that all the cloths which shall be found of less measure by a yard, than of the assize contained in the statute of *Northampton*, by which it is ordained, That the length of every cloth of ray shall be measured by a line of seven yards, four times measured by the list. And the breadth of every cloth of ray, six quarters of the measure by the yard, and of coloured cloths the length shall be measured by the back by a line of six yards and a half, four times measured, and the breadth six quarters and a half measured by the yard, without defoiling the cloths, shall be forfeited and arrested to the King. And that the aulneger deliver the same to the King's wardrobe by indenture, notwithstanding any franchise, usage, or privilege, made to the cities, boroughs, or to any person of the realm of *England* to the contrary. And the King's aulneger shall be sworn to do his office well and lawfully. And in case he thereof be found in default, and thereof be attainted before the keepers of the fairs, and mayors, and bailiffs of the places, where the cloth shall be bought, or before any other judge whom our lord the King shall thereto assign, he shall have prison of one year, and ransomed at the King's will, and put out of his office for ever. And the aulneger shall answer as well for his deputies as for himself. And also it is accorded and stablished, That every buyer of such cloth, or other that will sue, that the said aulneger hath done any fraud or deceit in his office, and the falsity be notoriously proved, at his suit shall have the one half of that which shall be so forfeited, or the price, of the King's gift, and the King the other half. And that every buyer of such cloth, after that he hath agreed of the price with the seller, may freely measure the cloth at his will, to assay if it be of the assize or not, before that he hath paid his money, although the aulneger's seal be put to the same. And if the buyer find any default after the buying, and shew the same default to the mayors and bailiffs of the place, or to the keepers of the fair or market, and if default be found notoriously before them, the cloth shall be forfeit to the King, and seised into the King's hands, by the said mayors and bailiffs, or keepers of the fairs or markets, and shall

All cloths vendible shall be measured by the King's aulneger, or his deputy.

The length and breadth of cloth of ray, and coloured cloth.

The aulneger shall be sworn to do his office well.

A buyer may measure the cloth before he hath paid for it.



shall remain in their custody. And the said mayors and bailiffs or keepers, shall certify the chancellor of the same forfeiture, and the suit of the buyer, or of other which will sue, without any thing taking of him: And the chancellor in this certificate shall send a writ to the said mayor and bailiffs or keepers, to deliver him which so hath sued, the one half of the forfeiture, and to save the other half to the King's use. And if the mayor, bailiffs, or keepers, refuse to do execution of this accord, in the manner aforesaid, they shall be punished by fine and ransom when they shall be thereof attainted, as well at the King's suit as the parties. And that this article begin to hold place the first day of *September* next coming, so that the merchants and other, which have cloths to sell, may freely deliver them of the cloths that they have in their hands in the mean time.

The forfeiture of defective cloth, and to what use it shall be employed.

2 Ed. 3. c. 14.

5 & 6 Ed. 6.

c. 6.

8 Eliz. c. 12.

43 Eliz. c. 10.

4 Jac. 1. c. 2.

11 W. 3. c. 20.

## CAP. II.

### *Merchants strangers may buy and sell without disturbance.*

9 Ed. 3. stat. 1.

9 H. 3. stat. 1.

c. 20.

**I**TEM, *Whereas it is contained in a statute made at York the ninth year of the reign of our lord the King that now is, that all merchants, aliens, and denizens, and all other, and every of them, of what estate or condition they were, which would buy or sell corn, wine, avoir de pois, flesh, fish, and all other livings and vitual, cloths, chaffer, wools, merchandises, or any other things vendible, from what party they come, by foreigners or by denizens, to what place soever it be, borough, town, port of the sea, fair, market, or other place within this realm, within franchises or without, may freely and without disturbance sell the same to whom please them, as well to foreigners as to denizens, except the King's enemies: (2) it is accorded by our lord the King, the prelates, earls, barons, and other great men, and the commons in this present parliament, That the said statute, in all points and articles contained in the same, be holden, kept, and maintained. (3) And if that any statute, charter, letters patents, proclamation, or commandment, usage, allowance, or judgement be*

Merchants strangers may buy and sell within this realm without disturbance.

**I**TEM come contenu soit en un estatut fait a Everwyk lan du regne nostre dit seigneur le Roi noesisme qe touz marchantz aliens & detizeins & touz autres & chescun deux de quel estat ou condition qils soient qi achater ou vendre voillent bledz vins avoir du pois chars pessons & toutes autres vivres & vitailles leines draps merces marchandises & totes maneres dautres choses vendables de quele part qils viegnent par foreins ou par denzeins a quel lieu qe ce soit soit il burgh ville port du meer faire marche ou autre lieu deinz meisme le roialme deinz franchise ou dehors les puissent franchement & sanz destourber vendre a qi qe lour plect auxibien as foreins come as denzeins forspris les enemys de nostre seigneur le Roi & de son roialme accorde est par nostre dit seigneur le Roi prelatz countes barons & touz autres grantz & communes en cest present parlement qe le dit estatut en touz pointz & articles contenuz en ycel soit tenu garde & meintenu. Et qe si nul estatut chartré lettre patente proclamation

made

mation

nation ou mandement usage  
 allowanee ou jugement soit fait  
 au contraire soit overtement re-  
 pelle aienty & tenu pur nul.  
 Et outre ce qe chiefun mar-  
 chant ou autre de quele con-  
 dition qil soit auxibien alien  
 come denzein qi amene vins  
 chers peffon ou autre manere  
 des vittailles draps peaux ou  
 avoir du pois ou quecomqes  
 autres merces ou marchandises  
 a la citee de Londres ou as au-  
 tres citees burghs & banes  
 villes dEngleterre ou portz de  
 meer les poet franchement &  
 sanz challange ou empesche-  
 ment de nuli vendre en gros  
 ou a retail ou par parcelles a  
 sa volunte a queconqes gentz  
 qi les vodront achater nient  
 contrestant quecumqe fran-  
 chise grante ou custume use ou  
 quecumqe autre chose faite au  
 contraire desicome qe tiebx fran-  
 chises & usages sont en com-  
 mune prejudice du Roi & de  
 tut son poeple. Et qe nul mair  
 baillif catchepole ministre ne  
 nule autre se melle de la vente  
 de nule manere des vittailles  
 vendables menez ou portez as  
 citees burghs ne autres villes  
 ne faire ne marche fors soule-  
 ment celi a qi les vittailles sont  
 & qe proclamation ent soit  
 faite de novel en touz les coun-  
 tez dEngleterre & en la citee  
 de Londres & en touz autres  
 citees burghs bones villes portz  
 du meer & aillours deinz le  
 roialme dEngleterre ou mestire  
 ferra & qe nostre dit seignur le  
 Roi sur ce face assigner ses ju-  
 stices totes les foitz qe lui pler-  
 ra & metter soit denquere de  
 touz ceux qi vendront ou riens  
 facent alencontre & de les pu-  
 nir selonc la peine contenue en  
 meisme lestatut fait lan noe-  
 ſime. Et qe chefcun qi vorra  
 fuir

made to the contrary, the same  
 shall be openly repealed, void,  
 and holden for none. (4) And  
 moreover, that every merchant,  
 or other, of what condition he  
 be, as well alien as denizen,  
 that bring wines, flesh, fish, or  
 other victuals, cloths, woollens,  
*avoir de pois*, or any other man-  
 ner of merchandises, or chaffer,  
 to the city of *London*, or other  
 cities, boroughs, and good  
 towns of *England*, or ports of  
 the sea, may freely, and with-  
 out challenge or impeachment  
 of any, sell in gros or at re-  
 tail, or by parcels, at his will,  
 to all manner of people that  
 will buy the same, notwith-  
 standing any franchises, grants,  
 or custom used, or any other  
 thing done to the contrary;  
 sithence that such usages and  
 franchises be to the common  
 prejudice of the King and his  
 people. (5) And that no mayor,  
 bailiff, catchpole, minister, nor  
 other, shall meddle with the  
 sale of any manner of victual  
 vendible, brought to cities, bo-  
 roughs, or other towns, nor  
 fair nor market, but only he  
 to whom the victuals be; (6)  
 and proclamation be thereof  
 made of new in all counties of  
*England*, and in the city of  
*London*, and in all other cities,  
 boroughs, good towns, ports  
 of the sea, and other places  
 within the realm of *England*,  
 where need shall be; (7) and  
 that the King thereupon cause  
 to be assigned his justices at all  
 times that shall please him, and  
 if need be, to enquire of all  
 those that shall offend against  
 this ordinance, or do any thing  
 against the same, and to pu-  
 nish them according to the  
 pain contained in the same sta-  
 tute made in the said ninth  
 year,

No officer shall  
 meddle with  
 the sale of a  
 stranger's  
 goods.

year. (8) And that every person that will sue against any such, shall have a writ in the chancery to attach him by his body as a disturber of the common profit, to cause him to come thereof to make answer in the King's court.

2 R. 2. stat. 1.  
c. 1.  
21 R. 2. c. 7.  
altered by  
16 R. 2. c. 1.

uir nevers nul tiel eit brief de la chancellerie de lui attacher par son corps come destourbeour de commune profit de lui faire ent venir a respons en la court le Roi.

### C A P. III.

*The penalty of him that doth forestal wares, merchandise, or victual.*

The penalties of forestallers of wares, merchandises, wine, or victuals.

**I**TEM it is accorded and established, That the forestallers of wines, and all other victuals, wares, and merchandises that come to the good towns of *England* by land or by water, in damage of our lord the King and of his people, if they be thereof attainted at the suit of the King, or of the party, before mayor, bailiff, or justices thereto assigned, or elsewhere in the King's court; and if they be attainted at the King's suit by indictment, or in other manner, the things forestalled shall be forfeited to the King, if the buyer thereof hath made gree to the seller: (2) and if he have not made gree of all, but by earnest, the buyer shall incur the forfeiture of as much as the forestalled goods forfeited do amount to, after the value as he bought them, if he have whereof; (3) and if he have not whereof, then he shall have two years imprisonment, and more, at the King's will, without being let to mainprise, or delivered in other manner. (4) And if he be attainted at the suit of the party, the party shall have the one half of such things forestalled and forfeit, or the price, of the King's gift, and the King the other half.

2 R. 2. stat. 1.  
c. 2.  
5 & 6 Ed. 6.  
c. 14.

**A** Corde est auxint & establi que les forstallours des vins & des autres vitailles & de toutes autres merces & marchandises que viegnont a les bones villes par terre ou par eawe en damage de nostre seigneur le Roi & de son poeple si de ceo soient atteintz a la suite le Roi ou de partie devant mair baillifs ou justices a ce assignes ou aillours en la court le Roi & fil soit atteint a la suite le Roi par enditement ou en autre manere soient les choses forstalles forfaitz au Roi si lachatour ent eit fait gree au vendour & fil neit fait gree de tut mes par arres encourage lachatour la forfaiture de tant come les biens forstalles amountent selonc la value qui les avera achate sil eit de quoi & fil neit adonques eit la prison de deux annz & plus a la volunte le Roi sanz estre lessé a mainprise ou delivres en autre manere. Et sil soit atteint a suite de partie eit la partie la moite de tielx choses forstalles & forfaitz ou la pris du doun le Roi & le Roi lautre moite.

## CAP. IV.

*New wears shall be pulled down, and not repaired.*

**I**TEM pur ce qe communes passages de neefs & batelx en les grantz rivièrs d'Engleterre si font sovent foitz destourbèz par le lever de gortz molins estanks estackes & kideux en grant damage du poeple acorde est & establi qe touz tiels gortz molins estanks estackes & kideux qe sont leves & mys en temps le Roi lael & puis encea en tielx rivièrs par queux les neefs & batelx sont destourbes qils ne poent passer come ils soloient soient oustes & nettement abatuz sanz estre relevez & soient sur ce briefs mandez as viscontz de lieux ou mester ferra de surveer & denquere & de faire ent execution & auxint qe justices soient sur ce assignez a totes les foitz qil besoignera.

**I**TEM, *Whereas the common passage of boats and ships in the great rivers of England be oftentimes annoyed by the inban-sing of gorges, mills, wears, stanks, staks, and kiddles, in great damage of the people; (2) it is accorded and established, That all such gorges, mills, wears, stanks, staks, and kiddles, which be levied and set up in the time of King EDWARD the King's grandfather, and after, whereby the said ships and boats be disturbed, that they cannot pass in such river as they were wont, shall be out and utterly pulled down, without being renewed; (3) and thereupon writs shall be sent to the sheriffs of the places where need shall be, to survey and inquire, and to do thereof execution; and also the justices shall be thereupon assigned at all times that shall be needful.*

New wears shall be pulled down and not repaired.

45 Ed. 3. c. 2.  
1 H. 4. c. 12.  
9 H. 6. c. 9.  
12 E. 4. c. 7.

A statute of purveyors, made Anno 25 EDW. III.  
stat. 5. and Anno Dom. 1350.

**A**U parlement somonz a Westm' en la feste de Seinte Hiller' lan du regne nostre seigneur le Roi EDWARD d'Engleterre vintisme quint & de France douzisme nostre seigneur le Roi del assent des prelatz ducs countes barons & de tout la comunalte de son roialme d'Engleterre au dit parlement somons al honur de Dieu & de seinte eglise & en amendement de son dit roialme ad ordeine & establi les choses soutezcriptes.

**A**T the parliament summoned at Westminster in the feast of St. Hilary, the year of the reign of our lord King EDWARD the Third after the conquest of England the five and twentieth, and of France the twelfth; our said lord the King, by the assent of the prelates, earls, barons, and of all the comunalty of his realm of England summoned to the parliament, to the honour of God and holy church, and in amendement of his said realm, hath ordained and established the things underwritten.

## CAP. I.

*By what measures the King's purveyors shall take corn. Things purveyed shall be praised, and tallies made thereof.*

Ex ed. Pulton.

Corn shall be taken by measure striken.  
23 H. 6. c. 1.  
Things taken for the King's house shall be praised at the very value.

Tallies shall be made between the purveyor and the owner of the goods taken.

5 Ed. 3. c. 2.  
34 Ed. 1. c. 2.  
2 & 3 Ph. & Mar. c. 6.  
12 Car. 2. c. 24.  
The purveyors commissions shall be under the great or privy seal.

**F**IRST forasmuch as great and outrageous damage and grievance hath been done to the people by the takers or purveyors of victuals, for the houses of our lord the King, the Queen, and their children: it is accorded and assented in the said parliament, That the takers of corn for the said houses, shall take the same by measure striken according as is used throughout the land. And that such corn, hay, litter, bestail, and all other victuals and things, which shall be taken for the said houses, shall be praised at the very value, by the constable and other good people of the towns where such taking shall be made, without that that the praisers by menace or dures shall be driven to set any other price then their oath will, and as commonly runneth in the next markets. And that betwixt the purveyors and them whose goods shall be taken in the presence of the constables and praisers, tallies be made incontinently, without that that the people whose goods shall be taken, shall be drawn or travelled elsewhere, and the same tallies sealed with the seals of the takers of the things so taken, by which tallies green shall be made to them whose goods shall be so taken. And if any purveyor or taker for the said houses, do in any other manner, he shall be presently arrested by the town where the taking shall be made, and brought to the next goal: and if he be thereof attainted, it shall be done of him as of a thief, if the quantity of the goods the same require, according as in a statute made in the time of our lord the King that now is, the fifth year of his reign, and in another made in the time of the King's grandfather upon such taking, is contained at the full. And that from henceforth in the commissions of such takers and purveyors, the intent and pain limited, in this statute shall be contained. And that no commission be made, but only under the King's great seal or privy seal. Nor no man be bound to obey any such commissions, in other manner than is afore said. And that the same statute take place in all points against every taker and purveyor of every manner of victual in every part of the realm, of what condition soever he be.

## CAP. II.

*A declaration which offences shall be adjudged treason.*

A declaration what offences are to be judged treasons high and petit.  
Cro. Car. 117.  
— 125. 332.  
1 Hales' hist. Pl. Cr. c. 12. &c.

**I**TEM, *Whereas divers opinions have been before this time in what case treason shall be said, and in what not;* (2) the King, at the request of the lords and of the commons, hath made a declaration in the manner as hereafter followeth; that is to say,

**A**uxint pur ceo qe diverses opinions ount este einz ces heures qen cas quant il avient doit estre dit treson & en quel cas noun le Roi a la requeste des feignurs & de la communalte ad fait declarissement, qe ensuit cest assavoir quant

quant homme fait compasser ou imaginer la mort nostre seigneur le Roi ma dame sa compaignie ou de leur fitz primer & heir ou si homme violast la compaignie le Roi ou leishesce fill le Roi nient marie ou la compaignie leishne fitz & heir du Roi & si homme leve de guerre contre nostre dit seigneur le Roi en son roialme ou soit aherdant as enemys nostre seigneur le Roi en le roialme donant a eux aid ou confort en son roialme ou par ailleurs & de ceo provablement soit atteint de overt faite par gentz de leur condition. Et si homme contréface les grant ou prive sealx le Roi ou la monoie & si homme apport faus monoie en ceste roialme contrefaite a la monoie d'Engleterre sicome la monoie appelle Lucynburgh ou autre semblable a la dite monoie d'Engleterre sachant la monoie estre faus pur marchander ou paiement faire en deceit nostre dit seigneur le Roi & son poeple & si homme tuast chancelier tresorer ou justice nostre seigneur le Roi del un baunk ou del autre justice en eir & des assises & toutes autres justices assignez a oier & terminer esteiantz en leurs places en fesantz leurs offices. Et fait a entendre en ces casles fuismomez doit estre jugge treson qe seissent a nostre seigneur le Roi & a sa roial majeste & de tiele manere de treson la forfaiture des eschetes appartient a nostre seigneur le Roi sibien des terres & tenemenz tenuz des autres come de lui meismes. Et oveq ceo y ad autre manere de treson est assavoir quant un servante de son meistre une femme que de son baron quant homme adulcer ou de religion tue son prelat

say, When a man doth compass or imagine the death of our lord the King, or of our Lady his Queen, or of their eldest son and heir; (3) or if a man do violate the King's companion, or the King's eldest daughter unmarried, or the wife the King's eldest son and heir; (4) or if a man do levy war against our lord the King in his realm, or be adherent to the King's enemies in his realm, giving to them aid and comfort in the realm, or elsewhere, and thereof be provably attainted of open deed by the people of their condition. (5) And if a man counterfeit the King's great or privy seal, or his money; (6) and if a man bring false money into this realm, counterfeit to the money of *England*, as the money called *Lusburgh*, or other like to the said money of *England*, knowing the money to be false, to merchandise or make payment in deceit of our said lord the King and of his people; (7) and if a man slay the chancellor, treasurer, or the King's justices of the one bench or the other, justices in eyre, or justices of assise, and all other justices assigned to hear and determine, being in their places, doing their offices. (8) And it is to be understood, that in the cases above rehearsed, that ought to be judged treason which extends to our lord the King, and his royal majesty: (9) and of such treason the forfeiture of the escheats pertaineth to our sovereign lord, as well of the lands and tenements holden of other, as of himself. (10) And moreover there is

Kelyng. 20.  
Hawk. Pl.  
Cr. c. 17.

The King shall have the forfeiture of all the offenders lands in high treason.

Petit treason.

eth his master, or a wife her husband, or when a man secular or religious slayeth his prelate, to whom he oweth faith and obedience; (11) and of such treason the escheats ought to pertain to every lord of his own fee. (12) And because that many other like cases of treason may happen in time to come, which a man cannot think nor declare at this present time; it is accorded, That if any other case, supposed treason, which is not above specified, doth happen before any justices, the justices shall tarry without any going to judgement of the treason, till the cause be shewed and declared before the King and his parliament, whether it ought to be judged treason or other felony. (13) And if percase any man of this realm ride armed covertly or secretly with men of arms against any other, to slay him, or rob him, or take him, or retain him till he hath made fine or ransom for to have his deliverance, it is not the mind of the King nor his council, that in such case it shall be judged treason, but shall be judged felony or trespass, according to the laws of the land of old time used, and according as the case requireth. (14) And if in such case, or other like, before this time any justices have judged treason, and for this cause the lands and tenements have comen into the King's hands as forfeit, the chief lords of the fee shall have the escheats of the tenements holdeh of them, whether that the same tenements be in the King's hands, or in others, by gift or in other manner; (15) saving always to our lord the King the year, and the

prelat a qi il doit foi & obedience & tiele manere de trefon donn forfaiture des eschetes a chescun seignur de son fee propre. Et pur ceo qe plusurs autres cases de semblable trefon purront escheer en temps a venir queux homme ne purra penser ne declarer en present assentu est qe si autre cas supposee trefon qe nest especieie paramount aviegne de novel devant ascunes justices demoerge la justice saunz aler au juggement de trefon tanqe par devant nostre seignur le Roi en son parlement soit le cas monstree & desclarre le quel ceo doit estre ajugge trefon ou autre felonie. Et si par cas ascun homme de cest roialme chivache arme descouvert ou secretment od gentz armees contre ascun autre pur lui tuer ou derober ou pur lui prendre & retenir tanqil face fyn ou raunceon pur sa deliverance avoir, nest pas lentent du Roi & de son conseil qe en tiel cas soit ajugge trefon einz soit ajugge felonie ou trespas solonc la lei de la terre auncienement usee & solonc ceo qe le cas demand. Et si en tieu cas ou autre semblable devant ces heures ascune justice eit ajugge trefon & par celle cause les terres & tenemenz soient devenuz en la main nostre seignur le Roi come forfaitz eient les chiefs seignurs de fee leurs eschetes des tenemenz de eux tenuz le quel qe les tenemenz soient en la main nostre seignur le Roi ou en la main des autres par donn ou en autre manere saivant tote-soitz a nostre seignur le Roi lan & le waft & autres forfaitures des chateux qe a lui attenant en les cases suisnomez & qe briefs de scire facias vers les terre

New questions of treasons shall first be decided in parliament.

Try. of earl Straff. 679.

terres tenantz soient grantez en lieu cas sanz autre originale & sanz allower la protection nostre seigneur le Roi en la dite feute & que de les terres que sont en la main le Roi soit grante brief as viscontes des countees a ou les terres seront de ostier a main le Roi sanz outre de-  
aie.

the waste, and the forfeitures of chattels, which pertain to him in the cases above named; (16) and that the writs of *scire facias* be granted in such case against the land-tenants without other original, and without allowing any protection in the said suit; (17) and that of the lands which be in the King's hands, writs be

1 H. 4. c. 10.  
1 Ed. 6. c. 18.  
1 Ma. ff. 7. c. 1.  
13 Car. 2. stat. 1. c. 1.

granted to the sheriffs of the counties where the lands be, to deliver them out of the King's hands without delay.

CAP. III.

*No indictor shall be put upon the inquest of the party indicted.*

**A**uxint acorde est que nul enditour soit mys en enquest sur la deliverance del endite de trespas ou de felonie sil soit chalange par tiele cause par celui que est endite.

**I**TEM, it is accorded, That no indictor shall be put in inquests upon deliverance of the indictedes of felonies or trespasss, if he be challenged for that same cause by him which is so indicted.

Bro. Chall. 42,  
101, 120, 142,  
166.

CAP. IV.

*None shall be condemned upon suggestion without lawful presentment.*

**E**Stre ceo come contenu soit en la grant chartre des franchises d'Engleterre que nul soit pris ne emprisonne ne ouste de son frank tenement ne de ces franchises ne de les franchises custumes sil ne soit par lei de la terre acorde est assentu & establi que nul desore soit pris par petition ou suggestion faitz a nostre seigneur le Roi ou a son conseil sil ne soit par enditement ou presentement des bones & loialx du visnee ou tiele fait se face & en due manere ou proces fait sur brief original a la comune lei ne que nul soit ouste de les franchises ne de son frank tenement sil ne soit mesne due-ment en respons & forjugge dyceles par voie de lei & si rien soit

**I**TEM, Whereas it is contained in the great charter of the franchises of England, that none shall be imprisoned nor put out of his freehold, nor of his franchises nor free custom, unless it be by the law of the land; (2) it is accorded, assented, and stablished, That from henceforth none shall be taken by petition or suggestion made to our lord the King, or to his council, unless it be by indictment or presentment of good and lawful people of the same neighbourhood where such deeds be done, in due manner, or by process made by writ original at the common law; (3) nor that none be out of his franchises, nor of his freeholds, unless he

9 H. 3. stat. 1. c. 29.

None shall be condemned by suggestion without lawful presentment.



year. (8) And that every per-  
son that will sue againſt any  
ſuch, ſhall have a writ in the  
chancery to attach him by his  
body as a diſturbur of the com-  
mon profit, to cauſe him to  
come thereof to make anſwer  
in the King's court.

2 R. 2. ſtat. 1.  
c. 1.  
11 R. 2. c. 7.  
altered by  
16 R. 2. c. 1.

uir & evers nul tiel eit brief de  
la chancellerie de lui attacher  
par ſon corps come deſtour-  
beour de commune profit de  
lui faire ent venir a reſpons en  
la court le Roi.

## C A P. III.

*The penalty of him that doth foreſtal wares, merchandiſe,  
or victual.*

The penalties  
of foreſtallers  
of wares, mer-  
chandises,  
wine, or vic-  
tuals.

**I**TEM it is accorded and  
eſtabliſhed, That the fore-  
ſtallers of wines, and all other  
victuals, wares, and merchan-  
diſes that come to the good  
towns of *England* by land or by  
water, in damage of our lord  
the King and of his people, if  
they be thereof attainted at the  
ſuit of the King, or of the par-  
ty, before mayor, bailiff, or elſe-  
where in the King's court;  
and if they be attainted at the  
King's ſuit by indictment, or  
in other manner, the things  
foreſtalled ſhall be forfeited to  
the King, if the buyer thereof  
hath made gree to the ſeller:  
(2) and if he have not made  
gree of all, but by earneſt, the  
buyer ſhall incur the forfeiture  
of as much as the foreſtalled  
goods forfeited do amount to,  
after the value as he bought  
them, if he have whereof; (3)  
and if he have not whereof,  
then he ſhall have two years  
imprifonment, and more, at  
the King's will, without being  
let to mainpriſe, or delivered  
in other manner. (4) And if  
he be attainted at the ſuit of  
the party, the party ſhall have  
the one half of ſuch things  
foreſtalled and forfeit, or the price, of the King's gift, and the  
King the other half.

2 R. 2. ſtat. 1.  
c. 2.  
5 & 6 Ed. 6.  
c. 14.

**A** Corde eſt auxint & eſtabli  
que les forſtallours des  
vins & des autres vitailles & de  
toutes autres merces & mar-  
chandises que viegnont a les  
bones villes par terre ou par  
eawe en damage de noſtre  
ſeignur le Roi & de ſon poeple  
ſi de ceo ſoient atteintz a la  
ſuite le Roi ou de partie devant  
mair baillifs ou juſtices a ce  
aſſignes ou aillours en la court  
le Roi & ſil ſoit atteint a la  
ſuite le Roi par enditement ou  
en autre manere ſoient les  
choſes forſtalles forfaitz au Roi  
ſi lachatour ent eit fait gree au  
vendour & ſil neit fait gree de  
tut mes par arres encourage la-  
chatur la forfaiture de tant  
come les biens forſtalles a-  
mountent ſelonc la value qil  
les avera achate ſil eit de quoi  
& ſil neit adonques eit la priſone  
de deux annz & plus a la vo-  
lunte le Roi ſanz eſtre leſſe a  
mainpriſe ou delivres en autre  
manere. Et ſil ſoit atteint a  
ſuite de partie eit la partie la  
moite de tielx choſes forſtalles  
& forfaitz ou la pris du doun  
le Roi & le Roi lautre moite.

dein des foreſtes ou des chaces ne nul autre miniſtre ne face ne coille puture ne null autre coillet des vitailles ne de nul autre choſe par colour de ſon office contre nully volunte deinz lour baillie ne dehors forſpris ce queſt due dauncien droit.

foreſter nor keeper of foreſt or chaſe, nor any other miniſter, ſhall make or gather ſuſtenance, nor other gathering of victuals, nor other thing, by colour of their office, againſt any man's will, within their bailiwick nor without, but that which is due of old right,

A foreſter ſhall gather nothing but that which is due.  
Charta de foreſta, c.7.

## CAP. VIII.

*None ſhall be bound to find men of arms, but by tenure, or grant by parliament.*

**A**uxint acorde eſt & aſſentu qe nul homme ſoit arcte de trover gentz darmes hobellers narchers autres qe ceux qe tiegnent par tiele ſervice fil ne ſoit de commune aſſent & grant fait en parlement.

**I**TEM, it is accorded and aſſented, that no man ſhall be constrained to find men of arms, hoblers, nor archers, other than thoſe which hold by ſuch ſervices, if it be not by common aſſent and grant made in parliament,

Finding of men of arms.  
1 Ed. 3. ſtat. 2.  
c. 5.  
18 Ed. 3. c. 7.  
4 H. 4. c. 13.  
13 Car. 2. ſtat. 1. c. 6.

## CAP. IX.

*Auncel weight ſhall be put out, and weigbing ſhall be by equal balance.*

**E**nſement pur ce qe tres grant damage & deſceit eſt fait au poeple par tant qe pluſours marchantz uſent dachater & poiſer leines & autres marchandises par une pois queſt appelle auncell' acorde eſt & eſtabli qe celle pois appelle auncell' entre achatour et vendour ſoit del tout oſte & qe cheſcun vend & achat par balances iſſint qe les balances ſoient owels & les leines & autres marchandises owelment poiſez par droit pois et qe le ſak de laine ne poiſe qe vint & ſys peres & cheſcun pere poiſe quatorze livres & qe leſtater de la balance ne encline ne a lune partie ne al autre & qe le pois ſoit acordant al eſtandard del eſchequer. Et ſi nul achatour face al encontre ſoit grevouſement puny ſibien a la feute de par

**I**TEM, Whereas great damage and deceit done to the people, for that divers merchants uſe to buy and weigh wools and other merchandises, by a weight which is called auncel; it is accorded and eſtabliſhed, That this weight called auncel betwixt buyers and ſellers, ſhall be wholly put out; (2) and that every perſon do ſell and buy by the balance, ſo that the balance be even, and the wools and other merchandizes evenly weighed by right weight, ſo that the ſack of wool weigh no more but xxvi. ſtones, and every ſtone to weigh xiv. l. and that the beam of the balance do not bow more to the one part than to the other; (3) and that the weight be according to the ſtandard of the exchequer. (4) And if any buy-

34 Ed. 3. c. 5.

Auncel weight ſhall be put out.

27 Ed. 3. c. 10.  
Buying and ſelling ſhall be by equal meaſure.

er do the contrary, he shall be grievously punished, as well at the fuit of the party, as at the fuit of our lord the King, partie come a la feute nostre seignur le Roi.

8 H. 6. c. 5.  
21 H. 7. c. 4.

## CAP. X.

*Every measure shall be according to the King's standard; and shall be striked without heap; saving the rents of lords.*

9 H. 3. stat. 1.  
c. 25.

Every measure shall be according to the King's standard.

**I**TEM, Whereas it is contained in the great charter, that one measure shall be throughout England, which charter hath not been well kept and holden in this point in times past; (2) it is accorded and assented, That all the measures, that is to say, bushels, half-bushels, peck, gallon, pottle, and quart, throughout England, within franchises and without, shall be according to the King's standard; (3) and the quarter shall contain eight bushels by the standard, and no more. (4) And every measure of corn shall be striken without heap, saving the rents and fermes of lords, which shall be measured by such measures as they were wont in times past. (5) And the purveyors of the King, of the Queen, and all other, shall make their purveyances by the same measure striked in the same manner, and at all times that shall be needful. (6) And our lord the King shall assign certain justices in every county to enquire, hear, and determine upon the points aforesaid, and upon the same to do punishment according to the trespass, as well at the party's fuit, as at the King's; (7) so always, that all manner of franchises be saved to the lords in all points without blemish to be made in any manner.

Justices shall enquire of and punish the offenders.

34 Ed. 3. c. 6.

**A**Uxint come conteneue soit en la grande chartre que une mesure soit usee parmy tout Engleterre la quele chartre nad mie este tenu bien en ceo point avant ces heures si est acorde & assentu que touz les mesures cest a savoir bussel dimid' bussel & peck galon potel & quart par toute Engleterre deinz franchise & dehors soient acordauntz al estandard nostre seignur le Roi & contiegnent le quartre oet busselz par lestandard & nient plus. Et soit chescune mesure de blee rase sanz comble sauvez les rentes & fermes des seignurs queles soient mesures par tiele mesures come eles soleient avant ces heures. Et facent les purveours le Roi madame la Roigne & touz autres leurs purveances par meismes les mesures rases & en meisme la manere Et a toutes les foitz que mestier serra nostre seignur le Roi assignera certaines justices en chescune countee denquerer & doier & terminer sur les pointz susditz & de faire sur ce due punissement solonc chescun trespas sibi en a la feute de partie come a la feute le Roi. Issint totes foitz que toutes maneres des franchises soient sauvez as seignurs en toutz pointz sanz nul emblemement ent faire en quecumque manere.

## CAP. XI.

*Aid to make the King's fon knight, or to marry his daughter.*

**I**TEM, it is affented, That reasonable aid to make the King's eldest son knight, and to marry his eldest daughter, shall be demanded and levied after the form of the statute thereof made, and not in other manner, that is to say, of every knight's fee holden of the King without mean, twenty shillings and no more, and of every xx. l. of land holden of the King without mean in socage xx. shillings and no more.

Ex. edit. Pult.  
What shall be paid to the King for reasonable aid.  
12 Car. 2. c. 24.

## CAP. XII.

*No person shall take profit by exchange of gold or silver.*

**E**Nsement acorde est & estable que bien life a chescun homme de chaunger or pur argent ou pur or ou argent pur argent ou pur or issint que nul homme tiegne commune eschaunge ne rien preigne de profit pur tiel eschaunge faire sur peine de forfaiture de la monioie issint chaungee forprises les chaungeours le Roi les queux preignent profit pur tiel eschaunge solonc lordinance avant faite.

**I**TEM, it is accorded, That it shall be lawful for every man to exchange gold for silver, or silver for gold, or for gold and silver, so that no man hold a common exchange, nor take no profit for making such exchange, upon pain of forfeiture of the money so exchanged; except the King's exchangers, which take profit of such exchange, according to the ordinance afore made.

The value, &c. to be declared by proclamation.  
5 & 6 E. 6. c. 19.

3 H. 7. c. 6.

## CAP. XIII.

*The money of gold or silver now current shall not be impaired.*

**A**uxint acorde est & estable que la monioie dor & dargent qore coert ne soit mie empire en pois nen alai mes au plus tost que homme pousse trover bone voie qele soit mys en launcien estat come en esterling.

**I**TEM, it is accorded, That the money of gold and silver which now runneth, shall not be impaired in weight nor in allay; but as soon as a good way may be found, the same be put in the ancient state as in the sterling.

Money shall not be impaired in weight or allay.  
2 Inst. 577.  
1 Hales, hist. Pl. Cr. 193, 194.

## CAP. XIV.

*What procesf shall be awarded against him that is indicted of felony.*

**E**T auxint est acorde & assentu que apres ceo que ascun homme soit endite de felonie devant justices en lour sessions doier & terminer soit comande au viscont dattacher son corps par brief ou precept quest

**I**TEM, it is accorded, That after any man be indicted of felony before the justices in their sessions to hear and determine, it shall be commanded to the sheriff to attach his body by writ or by precept, which

What procesf shall be awarded against him that is indicted of felony.

which is called a *Capias*. (2) And if the ſheriff return in the ſame writ or precept, that the body is not found, another writ or precept of *capias* ſhall be incontinently made, returnable at three weeks after. (3) And in the ſame writ or precept it ſhall be comprised, that the ſheriff ſhall cauſe to be ſeiſed his chattels, and ſafely to keep them till the day of the writ or precept returned. (4) And if the ſheriff return, that the body is not found, and the indiſtee cometh not, the exigend ſhall be awarded, and the chattels ſhall be forfeit, as the law of the crown ordaineth; (5) but if he come and yield himſelf, or be taken by the ſheriff, or by other miniſter before the return of the ſecond *Capias*, then the goods and chattels ſhall be ſaved.

quest appelle Capias & le viſcount retourne en le dit brief ou precept que le corps ne ſoit mie trovee maintenant ſoit autre brief ou precept de *capias* fait retournable as trois ſymeignes apres. Et en meſme le brief ou precept ſoit compris que le viſcount face ſeiſir les chateaux & les ſauvement garder tanque a jour de brief ou precept retournable. Et ſi le viſcount reſpoigne que le corps neſt pas trovee ne lendite vient point ſoit le exigend agarde & ſoient les chateaux forſaitz ſicome la lei de la corone demand mes ſil viegne & ſe rend ou ſoit pris par viſcount ou par autre miniſtre devant le retourne del ſecunde *capias* adonques ſoient les biens & les chateaux ſauvez.

goods and chattels ſhall be ſaved.

## CAP. XV.

*The penalty of a purveyor taking more ſheep than be needful.*

Ex edit. Pult.  
The penalty of a purveyor that taketh more ſheep for the King's houſe before ſhear time than be needful.

22 Car. 2. c. 24.  
23 Car. ſtat. 1. c. 8.

**I**TEM, forasmuch as the takers and buyers of the king's priſes, do take ſheep from people betwixt *Eaſter* and the feaſt of ſaint *John Baptiſt*, with their wools, and cauſe the ſame to be praized at a ſmall price, and after ſend them to their own houſes, and cauſe them to be ſhorn to their own profit, in deceit of the King, and great oppreſſion of the people: it is accorded, that no ſuch taker, purveyor, nor buyer, ſhall take any ſheep before the time of the ſhearing, but as many as may reaſonably ſuffice till the time of ſhearing. And after that time they ſhall take as many ſheep ſhorn, and not other, that may reaſonably ſuffice them for the time to come. And if any taker, purveyor, or buyer of the realm, do againſt the ſame, and be thereof attainted at the ſuit of the King, or of the party, it ſhall be done to him as a thief or a robber. And the pain ſhall be contained in every commiſſion of ſuch purveyors.

## CAP. XVI.

*The exception of nontenure of parcel ſhall not abate the whole writ.*

**I**TEM, it is accorded, That by the exception of nontenure of parcel no writ ſhall be

**A**Uxint acorde eſt & aſſentutu que par exception de nountenure de parcell null brief

brief soit abatu forsque pur la quantite de la nountenure qest allegge.

be abated, but for quantity of the nountenure which is alledged.

## CAP. XVII.

*Process of exigent shall be awarded in debt, detinue, and replevin.*

**E**Nsement acorde est & assentue qe autiele proces soit fait en brief de dette deteneu des chateux & en prises des avers par brief de Capias & par proces dextingend par retour de viscount sicome est usee en brief dacompt.

**I**TEM, it is accorded, That such proces shall be made in a writ of debt and detinue of chattels and taking of beasts, by writ of *Capias*, and by proces of exigent by the sheriff's return, as is used in a writ of accompt.

Process in debt and detinue.  
 1 Leon. 85.  
 2 Regist. 81, &c.  
 2 Bulstr. 63.  
 1 Salk., 18.  
 Rast. 149.

## CAP. XVIII.

*Villanage may be pleaded, and a villein seised, though a Libertate probanda be depending.*

**E**STRE ceo acorde est & assentue qe nient contree-keant adjournement faite en Eire par brief de Libertate probanda purchacee en favour des niefs pur delaier les seignours de leurs actions devers tieux niefs soient les seignurs receux dalegger exceptions de villanage contre leurs vileins en toutz briefs le quel qe les ditz briefs de Libertate probanda soient purchacez par deceit ou en autre manere et qe les seignurs pussent seisir les corps de leurs vileins auxibien come ils purroient devant qe tieux briefs de Libertate probanda feurent ordinez & purchacez.

**I**TEM, it is ordained and assented, that notwithstanding adjournment made in eyre, by writ of *Libertate probanda*, purchased in favour of villeins to delay their lords of their actions of such villeins, the same lords shall be received to alledge the exception of villanage against their villeins in all writs, whether that the said writs of *Libertate probanda* were purchased by deceit or in other manner, (2) and that the lords may seise the bodies of their villeins, as well as they might before that the writs of *Libertate probanda* were ordained or purchased.

Villanage may be pleaded, and a villein seised, though a Libertate probanda do depend.  
 12 Car. 2. c. 24.

## CAP. XIX.

*By the King's protection the parties suis shall not be hindred, but his execution.*

**A**uxint come nostre seignur le Roi eit avant ces heures fait protections as diverses gentz qe lui estoient tenuz en aucun manere des dettes qils ne seront mie empledez des dettes queles ils devient as autres tanqe ils eussent fait gre a nostre seignur le Roi de ceo qe lui estoit due par eux par retour

**I**TEM, Forasmuch as our lord the King hath made before this time, protections to divers people, which were bounden to him in some manner of debt, that they should not be impleaded of the debts which they owed to other, till they had made gree to our lord the King of that which to him was due by them,

By the King's protection the parties suis shall not be hindered, but his execution.

them, by reason of his prerogative; and so during such protections no man hath used, nor durst implead such debtors; (2) it is accorded and assented, That notwithstanding such protections, the parties which have actions against their debtors, shall be answered in the King's court by their debtor; (3) and if judgement be thereupon given for the plaintiff or demandant, the execution of the same judgement shall be put in suspence till gree be made to the King of his debt. (4) And if the creditors will undertake for the King's debt, they shall be thereunto received, and shall have execution against the debtors of the debt due and adjudged to them, and also shall recover against them as much as they shall pay to the King for them.

Co.Lit. 131. b.  
Hob. 115.  
Cro. Jac. 477.  
The creditors  
undertaking  
for the King's  
debt.

foun de sa prerogative & ifint durantes tieles protections nul homme ad este osee demppler tieux dettours acorde est & assentue qe nient contreesteant tieles protections les parties qount actions a leurs dettours soient responduz en la court le Roi par leurs dettours & si juggement soit sur ceo rendu pur le pleintif ou demandant soit lexecution de cel juggement mys en suspens tanqe gre soit fait au Roi de sa dette. Et si les creansours voillent entreprendre pur la dette le Roi soient ils a ceo receuz & outre eient execution devers leurs dettours de dette a eux due & auxint recoverent devers eux tant come ils paieront pur eux au Roi.

#### C A P. XX.

*Plate of gold and silver shall be received into the King's mint by weight, and not by number; and so shall the money be returned.*

**I**TEM, it is accorded and assented, That the moneyors, and other wardens and ministers of the money shall receive plate of gold and silver by the weight; and in the same manner shall deliver the money when it shall be made by weight, and not by number, without any tarrying.

**E**Nsément acorde est & assentue qe les moneours & autres gardeins & ministres de la monioie receivent plat dor & dargent par pois & en meisme la manere deliverent les monioies quant eles ferront faits par pois & nemie par nombre saunz nully targer.

#### C A P. XXI.

*The king's butlers shall purvey no more wine than shall be appointed.*

**I**TEM, Whereas before this time the King's butlers and their deputies were wont to take, and daily do take, much more wine, by colour of their office, to the King's use, than they shall need, whereof the worst they deliver to the

**E**STRE ce come avant ces heures les botillers nostre seigneur le Roi & leurs deputees soleient prendre & parnent de jour en autre moult plus des vyns par colour de leur office ad cepts nostre seigneur

nur le Roi qil ne bofoigneroit des queux les plus fiebles ils deliverent al oepe nostre feignur le Roi & les meillours en grant nombre ils retiegnent devers eux a vendre & a faire ent lour profit & a la foitz ils releffent as marchantz ces qils ount pris de eux pur fines & dounes qils preignent de meifmes les marchantz par extorfion en grant damage & empoveriffement des ditz marchantz fi est acorde & establi qe le fenefchal del hoftiel le Roi & le tresorer de la garderobe mandent as touz les portz dEngleterre la ou vynes font a prendre al oepe le Roi le certain nombre qe le botiller prendra en chescun port fi qe rien soit pris outre cel nombre & qe meir & bailliffs des ditz portz certifient les ditz fenefchal & tresorer le nombre des toneux iffint prises par le botiller ou ses lieutenantz souz les seals des ditz meir & bailliffs & par indenture faite entre eux & les parnours des ditz vines. Et en cas qil soit trove qe le botiller ou ses lieu tenantz preignent plus ou preignent lower de nully ou delai nully par colour de son office come par areft face gre de double a la partie & soit ouste de son office & eit la prifon & soit reint a la volunte le Roi & le Roi assignera ses justices quant lui plerra denquere sur cestes choses & respoigne le botiller si bien pur ses deputees come pur lui meifmes la ou ils ne font mie fufficeantz.

*the King's use, and the best in great number they retain to themselves, to sell and make thereof their profit; and sometime they release to merchants that which they have taken of them, for fines and gifts, which they take of the same merchants by extortion, to the great damage and impoverishment of the said merchant; (2) it is accorded, That the steward of the King's house, and the treasurer of the wardrobe, shall send to all the ports of England, where wines be to be taken to the King's use, the certain number which the butler shall take in every port, so that nothing be taken over this number; (3) and that the mayor and bailiffs of the said ports certify the said steward and treasurer of the number of all the tuns so taken by the butler or his lieutenant, under the seal of the said mayor and bailiffs by indentures made betwixt them and the takers of the said wines. (4) And in case that it be found, that the butler or his lieutenant take more, or take reward of any, or delay any by colour of his office, as by arrest, he shall make gree to the party of the double, and shall be put out of his office, and have imprisonment and be ransomed at the King's will. (5) And the King shall assign his justices when it shall please him, to enquire upon these things; (6) And the butler shall answer as well for his deputies as for himself, where they be not sufficient.*

The King's butler shall take no more wine than shall be appointed him.

43 Ed. 3. c. 3.  
6 Geor. 1. c. 12.



## CAP. XXII.

*He that purchaſeth a proviſion in Rome for an abbey, ſhall be out of the King's protection, and any man may do with him as with the King's enemy.*

Ex Edit. Raſ-  
tal.  
Proviſions.  
Proviſors.  
3 Inſt. 126, 127.  
7 R. 2. c. 12.

**I**TEM, *because that ſome do purchaſe in the court of Rome proviſions, to have abbies, and priories in England, in deſtruction of the realm, and of holy religion: It is accorded, That every man that purchaſeth ſuch proviſions of abbies or priories, that he and his executors and procurators, which do ſue and make execution of ſuch proviſions, ſhall be out of the King's protection. And that a man may do with them, as of enemies of our ſovereign lord the King and his realm. And he that offendeth againſt ſuch proviſors in body or in goods, or in other poſſeſſions, ſhall be excuſed againſt all people, and ſhall never be impeached nor grieved for the ſame at any man's ſuit.*

Altered 5 Eliz.  
c. 1.

## CAP. XXIII.

*The debt of a Lombard unpaid ſhall be ſatisfied by his company.*

Ex edit. Raſt.  
Lombards.

**I**TEM, *Whereas much people of the realm, which have made contracts with Lombards, that be named of the companies dwelling in the ſame realm, which Lombards after that they have made their obligations to their creaſors, have ſuddenly eſcaped out of the realm without agreement made to their ſaid creaſors, in deceit and great damage of the people: It is accorded and aſſented, That if any merchant of the company, knowledge himſelf bound by the manner, that the company ſhall answer of the debt. So that another merchant, which is not of the company, ſhall not be thereby grieved or impeached.*

1 Chan. Caſ.  
204.  
2 Vern. 396.

*De proclamatione ſtatuti.*

**R**EX vicecomiti Kantii ſalutem. Quedam ſtatuta in parlamento nostro apud Weſtm' in feſto ſancti Hillarii proximo preterito convocata per nos prelatos duces comites barones & alios de communitate regni noſtri Anglie ad dictum parlamentum ſummonitis edita tibi miſimus ſub pede ſigilli noſtri mandantes quod ſtatuta predicta in pleno comitatu tuo legi & ea firmiter obſervari & teneri facias. T. R. apud Weſtm' vi. die Mart.

Conſimilia brevia diriguntur ſingulis vicecomitibus per Angſtram ſub eadem data.

Conſimile breve dirigitur juſtic' Hibern' mutatis mutandis ſub eadem data.

Conſimilia brevia diriguntur ſubſcriptis ſub eadem data videlicet,

Willielmo de Shareſnull & ſociis ſuis juſtitiariis ad placita coram rege tenenda assignatis.

Johanni de Stonore & ſociis ſuis juſtitiariis de communi banco. Theſaurario & baronibus de ſcaccario.

A statute of provifors of benefices, made Anno 25 EDW. III. stat. 6. and Anno Dom. 1350.

*The King and other lords shall present unto benefices of their own, or their ancestors foundation, and not the bishop of Rome.*

COME jadis en le parlement de bone memoire sire EDWARD Roi dEngleterre ael nostre seignur le Roi qore est lan de son regne trentisme quint a Kardoil tenuz oie la petition mise devant le dit ael & son conseil en le dit parlement par la communalte de son roialme contenant qe come seinte eglise dEngleterre soit founde en estat de prelatie deins le roialme dEngleterre par le dit ael & ses progenitours & contes barons & nobles de son roialme & leur ancestres pur eux & le poeple enfourmier de la lei Dieu & pur faire hospitalites aumoignes & autres oevres de charites lieux ou les eglises feurent foundees pur les almes de foundours & de leur heirs & de touz cristians & certains possessions tant en fees terres & rentes come en avowefons qe se extendent a grande value par les ditz foundours feurent assignez as prelatz & autres gentz de seinte eglise du dit roialme pur cele charge sustenir & nomement des possessions qe feurent assignez as ercevesques evesques abbes priours religious & autres gentz de seinte eglise par les Rois du dit roialme countes barons & autres nobles de son roialme meismes les Rois countes barons & nobles come seignurs & avowes eussent & aver deussent la garde de tieles voidances & les presentementz & collations des benefices esteantz des tieles prelacies.

Et les ditz rois en temps passe

WHEREAS late in the parliament of good memory of EDWARD King of England, grandfather to our lord the King that now is, the xxv year of his reign, holden at Carlisle, the petition heard, put before the said grandfather and his council in his said parliament by the commonalty of the said realm, containing, That whereas the holy church of England was founded in the estate of prelaty, within the realm of England, by the said grandfather and his progenitors, and the earls, barons, and other nobles of his said realm, and their ancestors, to inform them and the people of the law of God, and to make hospitalities, alms, and other works of charity, in the places where the churches were founded, for the souls of the founders, their heirs, and all christians; (2) and certain possessions, as well in fees, lands, rents, as in advowsons, which do extend to a great value, were assigned by the said founders to the prelates and other people of the holy church of the said realm, to sustain the same charge, and especially of the possessions which were assigned to archbishops, bishops, abbots, priors, religious, and all other people of holy church, by the Kings of the said realm, earls, barons, and other great men of his realm; (3) the same Kings, earls, barons, and other nobles, as lords and advowees, have had and ought to have the custody of such voidances, and the presentments and the collations of the benefices being of such prelacies.

Stat. Carlisle, 35 Ed. 1. c. 4. sect. 3.

The causes why the Kings and noblemen of the realm did give lands to bishops and other prelates.

The pope bestowed spiri-  
tual livings upon  
aliens not  
dwelling in  
England.  
Hob. 146. 148.

The inconveni-  
encies ensu-  
ing thereon.

II. *And the said Kings in times past were wont to have the greatest part of their council, for the safeguard of the realm when they had need, of such prelates and clerks so advanced; (2) the bishop of Rome, accroaching to him the seignories of such possessions and benefices doth give and grant the same benefices to aliens, which did never dwell in England, and to cardinals, which might not dwell here, and to others as well aliens as denizens, as if he had been patron or advowee of the said dignities and benefices, as he was not of right by the law of England; whereby if they should be suffered, there should scarcely be any benefice within a short time in the said realm, but that it should be in the hands of aliens and denizens by virtue of such provisions, against the good will and disposition of the founders of the same benefices; (3) and so the elections of archbishops, bishops, and other religious should fail, and the alms, hospitalities, and other works of charity, which should be done in the said places, should be withdrawm, the said grandsfather, and other lay-patrons, in the time of such voidances, should lose their presentments, the said council should perish, and goods without number should be carried out of the realm, in adnullation of the estate of the holy church of England, and disherison of the said grandsfather, and the earls, barons, and other nobles of the said realm, and in offence and destruction of the laws and rights of his realm, and to the great damage of his people, and in subversion of all the estate of his said realm, and against the good disposition and will of the first founders: (4) by the assent of the earls, ba-*

*nisse soloient aver la greindre partie de lour conseils pur la salvation du roialme quant ils en eurent mester de tiels prelatz & clercs issint avances le pape de Rome acrochant a lui la seignurie de tieles possessions & benefices meismes les benefices dona & graunta as aliens qi unques ne demurerent el roialme dEngleterre & as Cardinalx qe y demurer ne purroient & as autres tant aliens come denzeins autre sicome il eust este patron en avowe des dites dignities & benefices come il ne feust de droit selonc la lei dEngleterre par les queux fils feussent foeffertz a peine demurroit ascun benefice en poi de temps el dit roialme qil ne serroit es meins daliens & denzeins par vertue de tieles provisions contre la bone volonte & disposition des foundours de meismes les benefices & issint les elections des ercevesques eveşches & autres religious faudroient & les almoignes hospitalites & autres oeuvres de charite qe ferroient faitz as ditz lieux ferroient sustretes le dit ael & autres lais patrons en temps de tieles voidances perderoient lour presentementz le dit conseil periroit & biens sanz nombre ferroient emportes hors du roialme en adnullation del estat de seinte eglise dEngleterre & desheritefon du dit ael & des countes barons & nobles & en offens & destruction des lois & droitures de son roialme & grant damage de son poeple & subversion del estat de tut son roialme susdit & contre la bone disposition & volonte des premiers foundours del assent des countees barons nobles & tute la dite communalte a lour instante requēste consideres les*

*damages*

damages & grevances susdites en le dit plener parlement feust purveu ordine & establi qe les dites grevances oppressions & damages en meisme le roialme des adonques mes ne serroient soeffertz en ascun manere. Et ja monstre soit a nostre seigneur le Roi en cest parlement tenuz a Westm' a les oetaves de la Purification de nostre Dame lan de son regne dEngleterre vintifme quint & de France dufzifme par le greveuse plainte de toute la communalte de son roialme qe les grevances & mischiefs susditz sabondent de temps en temps a plus grant damage & destruction de tut le roialme plus qe unques ne firent cest assaver qore de novel nostre seint piere le pape par procurement des clerks & autrement ad reservee & reserve de jour en autre a sa collation generalment & especialment si bien erceveschees eveschees abbeies & priories come totes dignetes & autres benefices dEngleterre qe sont del avowerie de gentz de seinte eglise & les doune auxibien as aliens come as denzeins & prent de touz tiels benefices les prime-res fruitz & autres profitz plusours & grande partie du tresor del roialme si est emporte & despendu hors du roialme par les purchaceours de tieles graces & auxint par tieles reservations prives plusours clerks avances en ceste roialme par leur verroies patrons qe ont tenuz pour avancementz par long temps pesiblement sont sodeinement ostes sur quoi la dite communaltee ad prie a nostre seigneur le Roi qe desicome le droit de la corone dEngleterre & la loi du dite roialme sont tieles qe sur meschiefs & da-

rons, and other nobles, and of all the said commonalty, at their instances and requests, the damage and grievances afore considered, in the said full parliament it was ordained, provided, established, agreed, adjudged, and considered, That the said oppressions, grievances, and damages in the same realm from henceforth should not be suffered in any manner. (5) And now it is shewed to our lord the King in this present parliament holden at Westminster, at the utas of the Purification of our Lady, the five and twentieth year of his reign of England, and of France the twelfth, by the grievous complaints of all the commons of his realm, that the grievances and mischiefs aforesaid, do daily abound, to the greater damage and destruction of all his realm of England, more than ever were before, viz. that now of late the bishop of Rome, by procurement of clerks and otherwise, hath reserved, and doth daily reserve to his collation generally and especially, as well archbishopsricks, bishopsricks, abbeyes, and priories, as all other dignities and other benefices of England, which be of the advowry of people of holy church, and give the same as well to aliens as to denizens, and taketh of all such benefices the first fruits, and many other profits, and a great part of the treasure of the said realm is carried away and dispended out of the realm, by the purchasers of such benefices and graces aforesaid; (6) and also by such privy reservations many clerks advanced in this realm by their true patrons, which have peaceably holden their advancements by long time, be suddenly put out: (7) whereupon the said commons have prayed our said lord the

The pope giveth the benefices of the church, and reserveth the first fruits to himself.

*King, that fith the right of the crown of England, and the law of the faid realm is fuch, that upon the mifchiefs and damages which happen to his realm, he ought, and is bound by his oath, with the accord of his people in his parliament thereof to make remedy and law, and in removing the mifchiefs and damages which thereof enfue, that it may please him thereupon to ordain remedy.*

The caufes and reasons of making this ftatute.

III. *Our lord the king, feeing the mifchiefs and damages before mentioned, and having regard to the faid ftatute made in the time of his faid grandfather, and to the caufes contained in the fame; which ftatute holdeth always his force, and was never defeated, repealed, nor adnulled in any point, and by fo much as he is bounden by his oath to caufe the fame to be kept as the law of his realm, though that by fufferance and negligence it hath been fiftence attempted to the contrary; (2) alfo having regard to the grievous complaints made to him by his people in divers his parliaments holden heretofore, willing to ordain remedy for the great damages and mifchiefs which have happened, and daily do happen to the church of England by the faid caufe; (3) by the affent of all the great men and the commonalty of the faid realm, to the honour of God, and profit of the faid church of England, and of all his realm, hath ordered and eftablifhed, That the free elections of archbifhops, bifhops, and all other dignities and benefices elective in England, fhall hold from henceforth in the manner as they were granted by the king's progenitors, and the ancestors of other lords founders of the faid dignities and other benefices. (4) And that all*

Elections of the dignities of the church fhall be free, as they were founded.

mages qe fi aveignont a foi roialme il doit & eft tenuz par fon ferement del acord de fon poeple en fon parlement faire ent remede & lei en oftant les mefchiefs & damages qenfi aveignont qe lui pleife de ce ordiner remede.

Nofre feignur le Roi veiant les mefchiefs & damages fufnomes & eant regard al dit estatut fait en temps fon dit ael & a les caufes contenues en ycele le quel estatut tient touz jours fa force & ne feust unques defait ne anulli en nul point & pur tant eft il tenuz par fon ferement del faire garder come la loi de son roialme coment qe par foeffrance & negligenc ad este puis attempte a contraire & auxint eant regard a les grevous plaintes a lui faites par son poeple en fes divers parlementz cea enarere tenuz voillantz les tresgrantz damages & mefchiefs qe sont aveuz & viegnont de jour en autre a la eglise dEngleterre par le dite caufe remede ent ordiner par assent de touz les grantz & la communalte de son dit roialme al honur de Dieu & profit de la dite eglise dEngleterre & de tut son roialme ad ordine & establi qe les franchises elections des erceveschees eveschees & tutes autres dignites & benefices electifs en Engleterre ftiegnent defore en manere come eles furent grantes par les progenitours noftr dit feignur le Roi & par les auncestres dautres feignurs foundes. Et qe touz prelatz & autres gentz de feinte eglise qi ont avowefondus nosre feignur le Roi & de fes progenitours ou dautres feignurs & donours pur faire divines services & autres charges

ent ordines eient lour collations & presentementz franchement en manere come ils estoient fesses par lour donours. Et en cas qe dascune erceveschee eveschee dignité ou autre quecunqe benefice soit reservation collation ou provision faite par la court de Rome en destourbanche des elections collations ou presentations susnomes qe a meisme les temps des voidances qe tieles reservations collations & provisions deusent prendre effet qe a meisme la voidance nostre seignur le Roi & ses heirs eient & enjoient pur cele foitz les collations as erceveschees eveschees & autres dignities electives qe sont de savoverie autieles come ses progeniteurs avoient avant qe franche election feust graunte desicome les elections feurent primes grantez par les progeniteurs le Roi sur certaines forme & condition come a demander du Roi conge de eslir & puis apres la election daver son assent roial & nemye en autre manere les queles conditions nyent gardez la chose doit par reson resortir a sa primere nature.

Et qe si dascune meson de religion del avoverie le Roi soit tiele reservation collation ou provision faite en destourbanche de franche election eit nostre seignur le Roi & ses heirs a cele foitz la collation a doner cele dignite a persone covenable. Et en cas qe reservation collation ou provision soit faite a la court de Rome de nule eglise provende ou autre benefice qe sont del avoverie des genz de seinte eglise dont le Roi est avowe paramount immediat qe a meisme le temps de voidance a quel temps la reservation collation ou provision deusent prendre

patrons and other people of holy church, which have advowsons of any benefices of the King's gift, or of any of his progenitors; or of other lords and donors, to do divine services, and other charges thereof ordained, shall have their collations and presentments freely to the same, in the manner as they were enfeoffed by their donors. (5)

And in case that reservation, collation, or provision be made by the court of Rome, of any archbishopsrick, bishopsrick, dignity, or other benefice, in disturbance of the free elections, collations, or presentations aforesamed, that at the same time of the voidance, that such reservations, collations, and provisions ought to take effect, our lord the King and his heirs shall have and enjoy for the same time the collations to the archbishopsricks and other dignities elective, which be of his advowry, such as his progenitors had before that free election was granted since that the election was first granted by the King's progenitors upon a certain form and condition, as to demand licence of the King to chuse, and after the election to have his royal assent, and not in other manner; which conditions not kept, the thing ought by reason to resort to his first nature.

IV. And if any such reservation, provision, or collation be made of any house of religion of the King's advowry, in disturbance of free election, our sovereign lord the King, and his heirs, shall have for that time the collation to give this dignity to a convenient person.

(2) And in case that collation,

Patrons and founders of the dignities of the church, and their heirs, shall have the collation or presentation to them being void.

9 H. 3. stat. 1. c. 33.

Where the pope maketh provision to a dignity of the church, the King shall present.

reservation, or provision be made by the court of *Rome* of any church, prebend, or other benefices, which be of the advowry of people of holy church, whereof the King is advowee paramount immediate, that at the same time of the voidance, at which time the collation, reservation, or provision ought to take effect as afore is said, the King and his heirs thereof shall have the presentation or collation for that time. (3) And so from time to time, whensoever such people of holy church shall be disturbed of their presentments or collations by such reservations, collations, or provisions, as afore is said; saving to them the right of their advowsons and their presentments, when no collation or provision of the court of *Rome* is thereof made, where that the said people of holy church shall or will to the same benefices present or make collation; and that their presentees may enjoy the effect of their collations or presentments. (4) And in the same manner every other lord, of what condition that he be, shall have the collations or presentments to the houses of religion which be of his advowry, and other benefices of holy church which be pertaining to the same houses. (5) And if such advowees do not present to such benefices within the half year after such voidances, nor the bishop of the place do not give the same by lapse of time within a month after half a year, that then the King shall have thereof the presentments and collations, as he hath of other of his own advowry. (6) And in case that the presentees of the King,

dre effect come desus est dit que le Roi & ses heirs de ce eient le presentement ou collation a cele foitz. Et issint de temps en temps a totes les foitz que tieles gentz de seinte eglise seront destourbez de leur presentementz ou collations par tieles reservations collations ou provisions come desus est dit Sauve a eux le droit de leur avowesons & presentementz quant nul collation ou provision de la court de Rome ent ne soit faite ou que les dites gentz de seinte eglise osent & vuillent a meismes les benefices presenter ou collation faire & leur presentees puissent leffait de leur collations & presentementz enjoier. Et en meisme la manere eit chescun autre seigneur de quel condition qil soit les presentementz ou collations a les mesons de religion que sont de savowrie & as benefices de seint eglise que sont apurtenantz a meismes les mesons. Et si tiels avowes ne presentent point a tieles benefices deinz le demy an apres tieles voidances ne levesque de lieu ne la doune par laps de temps deinz un mois apres le demy an que adonques le Roi eit ent les presentementz & collations come il ad autres de savowrie demesme. Et en cas que les presentees le Roi ou les presentes dautres patrons de seinte eglise ou de leur avowes ou ceux as queux le Roi ou tielx patrons ou avowes, susditz averont done benefices apurtenantz a leur presentementz ou collations soient destourbez par tiels provisours issint qils ne puissent avoir possession de tieles benefices par vertue des presentementz & collations issint a eux faitz ou que ceux que sont en possession des tieles benefices soient

soient empelches fur leur dites possessions par tielx provifours adonques soient les ditz provifours & leur procurateurs executours & notaires attaches par leur corps & menes en response & fils soient convietz demoeigent en prifone sanz estre lesse a meinprise en baillie ou autrement delivres tanqils averont fait fin & redemption au Roi a fa volente & gree a la partie que se sentera greve. Et nient meins avant qils soient delivres facent pleine renunciation & troevent sufficeante seurete qils n'attemp-teront tiele chose en temps a-venir ne nul proces fueront par eux ne par autre divers nuly en la dite court de Rome ne nule part aillours pur nules tieles emprisonementz ou renunciations ne nule autre chose dependant de eux.

Et en cas que tielx provifours procurateurs executours & notaires ne soient trovez que lexigende courge devers eux par due proces & que briefs issent de prendre leur corps quel part qils soient trovez auxibien la fuite le Roi come de partie & qen le mesme temps le Roi eit les profitz de tielx benefices issint ocupez partiels provifours forspriis abbeies priories & autres mesons qont college ou covent & en tieles mesons eient les covent & colleges les profitz sauvant tote-foitz a nostre seigneur le Roi & as autres seignurs leur aunciene droit. Et eit cest estatut lieu auxibien de reservations collations & provifions faites & grantes en temps passe devers touz ceux que ne sont unqore adept corporele possession des benefices a eux grantes par meismes les reservations collations & provifions come devers

toux

or the presentees of other patrons of holy church, or of their advowees, or they to whom the King, or such patrons or advowees aforesaid, have given benefices pertaining to their presentments or collations, be disturbed by such provisors, so that they may not have possession of such benefices by virtue of the presentments or collations to them made, or that they which be in possession of such benefices be impeached upon their said possessions by such provisors; then the said provisors, their procurators, executors, and notaries, shall be attached by their body, and brought in to answer; (7) and if they be convict, they shall abide in prison without being let to mainprise or bail, or otherwise delivered, till that they have made fine and ransom to the King at his will, and gree to the party that shall feel himself grieved. (8) And nevertheless before that

V. And in case that such provisors, procurators, executors, or notaries be not found, that the exigent shall run against them by due process, and that writs shall go forth to take their bodies in what parts they be found, as well at the King's suit, as at the suit of the party, (2) and that in the mean time the King shall have the profits

F 3

The penalties of those which by provisions from Rome do disturb such presentments or elections as others ought to make.

26 H. 3. c. 15.

3 Inst. 127.

of



of ſuch benefices ſo occupied by ſuch proviſors, except abbeyes, priories, and other houſes, which have colleges or convents, and in ſuch houſes the colleges or convents ſhall have the profits; ſaving always to our lord the King, and to all other lords, their old right. (3) And this ſtatute ſhall have place as well of reſervations, collations, and proviſions made and granted in times paſt againſt all them which have not yet obtained corporal poſſeſſion of the benefices granted to them by the ſame reſervations, collations, and proviſions, as againſt all other in time to come. And this ſtatute oweth to hold place and to begin at the ſaid *utis*.

23 R. 2. ſtat. 1.  
c. 1.  
23 R. 2. ſtat. 2.  
c. 2.  
16 R. 2. c. 5.

Statutum apud Weſtm' editum eodem, Anno 25  
EDW. III. ſtat. 7. Anno Dom. 1350.

*The King granteth to the commons in aid of a diſme and fifteen by them before granted to him, all the iſſues, fines, forfeitures, and amerçiements levied of labourers, artiſcers, regrators, viſtuallers, and ſervants.*

Ex edit. Raſt.

**W**HEREAS our ſovereign lord the King, the prelates, earls, barons, and other people aſſembled at his parliament, holden at Weſtminſter in the feaſt of Saint Hillary, the year of the reign of our ſaid ſovereign lord the King of England the xxv. and of France the xij. hath granted to the commons of the realm of England, in aid of the diſme and quinzime, which the ſaid commons have granted to our ſovereign lord the King, for the ſpeed of his wars of France, and defence of his realm of England, for three years next enſuing, all the fines, iſſues, forfeits, amerçiements, and all other profits, which be or ſhall be levied or taken of labourers, artiſcers, regrators, viſtuallers, hoſtlers, and all manner of workmen, and of ſervants, in all points fully as is contained in the ſtatute thereof made at the laſt parliament, holden at Weſtminſter at the *utis* of Candlemas, the year aforeſaid, from the feaſt of Eaſter laſt paſt, till the laſt term of the parliament of the diſme and quinzime aforeſaid. And further, if any thing be behind of the ſaid fines, amerçiements, and other profits aforeſaid, of the making of the ſaid ſtatute, that is not paid to the commons in aid of their diſme and quinzime, running before this time, in ſummons whereof the King is not answered: that then the ſaid commons ſhall have that is behind in aid of their diſme and quinzime triennial, granted at this parliament. And the ſaid commons prayeth our ſovereign lord the King, and the great men, that commiſſions of labourers be made to certain people in every county, named by the ſaid commons in this parliament, to enquire and do right according to the ſaid ſtatute. And that the ſame juſtices take reaſonable wages every one after his eſtate, of the iſſues and profits ariſing of their ſeſſions. And that the juſtices do to be delivered their eſtreats to the collectors of the ſaid diſme and quinzime, in the counties where they ſhall be by indenture.

Diſme and  
quinzime.

indenture. And that the estreats thereof delivered at the exchequer shall be delivered to the said justices : and that they do the same to be delivered out of their custody to the said collectors. And the same justices before their rising in every sessions shall do to be afferred the americiaments as pertaineth. And when they shall be afferred, all the estreats and all the profits of their sessions, at the end of every sessions shall be put in a certain sum, in the presence of the said justices and collectors, and of the knights, and serjeants of the best of the country. And be it apportioned of the same sum by the oaths of good and lawful knights, and other of every hundred in the form as hereafter followeth : that is to say, of every hundred there shall be certain people chosen before the same justices, as many as shall need, sworn to shew and to say of every town of the hundred, and of every hamlet, the wastes, mischiefs, and impoverishments of the same, as well of franchises as without, without concealing or favouring of any man. And the sum when it shall be so put in certain, shall be apportioned at the end of every sessions, betwixt the said towns and hamlets, by the advice of the said justices, and by the oath of the collectors, and other above-named, according to the estate of the said towns and hamlets, and their mischief, and according as their necessities demandeth. So that to every town and hamlet the portion shall be allotted, and put in certain, ~~and the cause of the same before the said justices, and put in their record, and recouped in part of payment of the old tax of the said towns and hamlets.~~ And that the remnant of the said tax of the said towns and hamlets, be levied by the said collectors, beside the estreats delivered to them by the said justices, according to the said apportioning, and no more, upon pain to lose the treble to the parties, of whom the thing shall be levied, and which thereof seeleth them grieved, and to be ransomed at the King's will. And that the said justices have power to hear and determine as well at the suit of the party as at the King's suit, of the collectors, under-collectors, taxers, and all other ministers, and all other which shall do or come against the said ordinances, and to make thereupon ready punishment. And that all the profits rising of such punishments in any manner, which shall be judged before the said justices, of such labourers, workmen, and artificers, or because of them, shall be in aid of the commons, for to bear the charge of their *disme* and *quinzime* aforesaid. And that it be contained in the commissions thereof made, that all ministers of lords of franchises and their bailiffs, shall be attendant to the said justices upon a grievous pain. To which things aforesaid our sovereign lord the King, and the prelates, earls, barons, and other great men, being in the said parliament, have fully given their assent. *So always that by occasion of any point aforesaid, the levying, nor the payment of the said* <sup>23 Ed. 3. c. 8.</sup> *disme and quinzime triennial, shall in no wise be delayed at any of* <sup>36 Ed. 3. c. 14.</sup> *the terms aforesaid.*

A ſtatute of proviſors, made Anno 27 EDW. III.  
ſtat. 1. and Anno Dom. 1353.

**O**UR lord the King, by the aſſent and prayer of the great men, and the commons of his realm of England, at his great council holden at Weſtminſter, the Monday next after the feaſt of St. Matthew the Apoſtle, the twenty-ſeventh year of his reign of England, and of France the fourteenth, in amendment of his ſaid realm, and maintenance of the laws and uſages, hath ordained and eſtabliſhed theſe things under written.

**N**OSTRE ſeignur le Roi de laſſent & a la priere des grauntz & de la communalte de ſon roialme d'Engleterre a ſon grant conseil tenuz a Weſtmonſter le Lundy prochain apres la feſte de Seint Matheu Lapoſtle lan de ſon regne ceſt aſſavoir d'Engleterre vintſeptiſme & de France quatorziſme en amendment de ſon dit roialme & pur les leis & uſages de ſon dit roialme meintenir ſi ad ordene & eſtabli les choſes ſouzeſcriptes.

CAP. I.

*Præmunire for ſuing in a foreign realm, or impeaching of judgement given.*

4 Inſt. 86.  
3 Inſt. 120. 125.  
31 Co. 63.  
32 Co. 37.

**F**IRST, *Because it is ſhewed to our lord the King, by the grievous and clamorous complaints of the great men and commons aforeſaid, how that divers of the people be, and have been drawn out of the realm to answer of things, whereof the cogniſante pertaineth to the King's court; (2) and alſo that the judgements given in the ſame court be impeached in another court, in prejudice and diſheriſon of our lord the King, and of his crown, and of all the people of his ſaid realm, and to the undoing and deſtruction of the common law of the ſame realm at all times uſed.* (3) Whereupon, good deliberation had with the great men and other of his ſaid council, it is aſſented and accorded by our lord the King, and the great men and commons aforeſaid, That all the people of the King's ligeance, of what condition that they be, which ſhall draw any out of the realm in plea, whereof the

**P**rimement pur ce que monſtreeſt a noſtre dit ſeignur le Roi par grevous & clamorous plaintes des grantz & communes avantditz comen plusours gentz ſont & ount eſte traites hors du roialme a reſpondre des choſes dont la conſiſſance appartient a la court noſtre ſeignur le Roi & auſſin que les juggementz renduz en meſme la court ſont empeschez en autri court en prejudice & deſheriſon noſtre ſeignur le Roi & de ſa corone & de tout le poeple de ſon dit roialme & en deſefance & anientiffement de la commune lei de meſme le roialme uſee de tout temps. Sur quoi eue bone delibération od les grantz & autres du dit conseil aſſentu eſt & acorde par noſtre dit ſeignur le Roi & les grantz & communes ſuſditz que totes gentz de la ligeance le Roi de quele condition qils ſoient qi trehent nulli hors du Roialme en plee dount

The penalty for ſuing in a foreign realm for any thing whereof the King's court is to take cogniſſance, or to impeach a judgement given in the King's court.

la coniffance appartient a la court le Roi ou des chofes dont juggementz font renduz en la court le Roi ou qi fuent en autri court a deffaire ou empescher les juggementz renduz en la court le Roi eient jour contenant leſpace de deux mois par garniffement affaire a eux en le lieu ou les poſſeſſions font qi font en debat ou aillours ou ils averont terres ou autres poſſeſſions par le viſcont ou autre miniſtre du Roi deſtre devant le Roi & ſon conſeil ou en ſa chancellerie ou devant les juſtices le Roi en ſes places del un bank ou del autre ou devant autres juſtices le Roi qi ferront a ce deputez a reſpondre en leur propre perſones au Roi du contempt fait en celle partie. Et ſils ne viegnent mie au dit jour en propre perſone de eſteer a la lei ſoient ils leur procuratours attournez executeurs notairs & meintenours de cel jour enavant mis hors de la protection le Roi & leur terres biens & chateux forfaitz au Roi & ſoient leur corps ou qils ſoient trovez pris & emprifonez & reintz a la volunte le Roi & ſur ce ſoit brief fait de les prendre par leur corps & de ſeiſir leur terres biens & poſſeſſions en la main le Roi et ſi retourne ſoit qils ne ſont mie trovez ſoient mis en exigend & utlaghez.

Purveu totes foitz qe a quele heure qils viegnent devant qils ſoient utlaghez & ſe veullent rendre a la priſone le Roi deſtre juſticez par le lei & recievre ce qe la court le Roi agardera en celle partie qils ſoient a ce receuz la forfaiture des terres biens & chateux demorante en ſa force ſils ne ſe rendent deinz les ditz deux mois come devant eſt dit.

cogniffance pertaineth to the King's court, or of things whereof judgements be given in the King's court, or which do ſue in any other court, to defeat or impeach the judgements given in the King's Court, ſhall have a day, containing the ſpace of two months, by warning to be made to them in the place where the poſſeſſions be, which be in debate, or otherwise where they have lands or other poſſeſſions, by the ſheriffs or other the King's miniſters, to appear before the King and his council, or in his chancery, or before the King's juſtices in his places of the one bench or the other, or before other the King's juſtices which to the ſame ſhall be deputed, to answer in their proper perſons to the King, of the contempt done in this behalf. (4)

And if they come not at the ſaid day in their proper perſon to be at the law, they, their procurators, attornies, executors, notaries, and maintainors, ſhall from that day forth be put out of the King's protection, and their lands, goods, and chattels forfeit to the King, and their bodies, whereſoever they may be found, ſhall be taken and imprifoned, and ransomed at the King's will : (5) And upon the ſame a writ ſhall be made to take them by their bodies, and to ſeiſe their lands, goods, and poſſeſſions, into the King's hands ; (6) and if it be returned, that they be not found, they ſhall be put in exigent, and outlawed.

II. Provided always, That at what time they come before they be outlawed, and will yield them to the King's priſon to be juſtified by the law, and to receive

11 Co. 34.

1 Lev. 241, 242.

38 Ed. 3. ſtat. 2.

c. 3.

Appearance of the offender after two months will ſave his outlawry, but not his lands or goods.

Reg. 182.

receive that which the court shall award in this behalf, that they shall be thereto received; the forfeiture of the lands, goods, and chattles abiding in their force, if they do not yield them within the said two months, as afore is said.

## CAP. II.

*In a pardon of felony the suggestions and suggestor's name shall be comprised.*

**I**TEM, Because our lord the King hath often granted charters of pardon of felonies upon feigned and untrue suggestions of divers people, whereof much evil hath chanced in times past; (2) and for to eschew such evil, it is accorded and assented by our said lord the King, and all the said council, That from henceforth in every charter of pardon of felony, which shall be granted at any man's suggestion, the said suggestion, and the name of him that maketh the suggestion, shall be comprised in the same charter; (3) and if after the same suggestion be found untrue, the charter shall be disallowed and holden for none: (4) And the justices before whom such charters shall be alledged, shall enquire of the same suggestion, and that as well of charters granted before this time, as of charters which shall be granted in time to come; and if they find them untrue, then they shall disallow the charters so alledged, and shall moreover do as the law demandeth.

In every pardon of felony the suggestion and the suggestor's name shall be comprised.

A pardon granted upon a false suggestion shall be disallowed. Raft. 455.

**A**Ussint pur ce qe nostre seignur le Roi ad sovent grantee chartres de pardon de felonies par feintes & nient veritables suggestions de plusieurs gentz dount plusieurs malx sont avenuz cea es arere & pur tieux malx eschuir si est acorde & assentu par nostre dit seignur le Roi & tout le dit conseil qe desore en chescun chartre de pardon de felonie qe serra grante a suggestion de nully soit la dite suggestion & le noun de celui qi fist la suggestion compris en meisme la chartre & si apres soit trove la suggestion nient veritable soit la chartre disallowe & tenue pur nulle & enquerent les justices devant queux tieux chartres sont alleggez de meisme la suggestion & ce aussibien des chartres avant ces heures grantez come des chartres qe seront grantez en temps avenir et sils la troessent nient verraie adonques desallowent la chartre issint aleggee & ent facent outre ce qe la lei demand.

## CAP. III.

*Commissions shall be granted to enquire of offenders contrary to the statute of 23 EDWARD III. c. 6.*

Ex edit. Raft. Viſtuals.

**I**TEM, For the great and outrageous dearth of viſtuals, which hostlers, harbingers, and other regrators of viſtuals make through the realm, to the great damage of the people passing through the realm: It is accorded and established, That the justices learned in the law, which be good and convenient, shall be newly chosen to enquire of the deeds and outrages of such hostlers, regrators, labourers, and all other comprised in the statute another time thereof

thereof made, and them to punish, and moreover to do right to the King and his people : *Saving always to every lord and other, their franchises in all points.*

## C A P. IV.

*The aulnegers fees for every cloth sold. Cloths shall be sealed before they be put to sale. A subsidy granted to the King of every cloth sold.*

**A**Ussint pur ce qe les grantz & communes ount monstree a nostre seigneur le Roi comment plusieurs marchantz si bien foreins come denzeins se ount retraiz & uncore se re-treent de venir od draps en le roialme dEngleterre a grant damage du Roi & de tout le poeple par cause qe launeour le Roi surmette as marchantz estranges qe leur draps ne sont mie daffise cest assavoir le drap de colour de la longure de vint & sis aunes mesuree par le dos & de la laeure de fys quarters & dimid' & le drap de raie de la longure de vint & oet aunes mesuree par le list & de la laeure de fys quarters & les arest come forfait au Roi & ount prie a nostre dit seigneur le Roi qe lui plese releffer & oster tieles forfaitures en eese de son poeple pur covenable recompensation faire a lui dautre part nostre seigneur le Roi sur tiele condition otroiant a lour supplication ad releffe & oste de tout les dites forfaitures & voet & grant pur lui & pur ses heirs qe mes ne soient nuls draps forfaitz tout ne soient ils de lassise avantdite mes qe launeour le Roi face auner les draps & les mercher par quele merche homme purra conoistre combien le draps contient & de tant come sera trove le draps qe est achate pur draps daffise estre meinz qe daffise soit allowance ou rebatement fait a lachatur  
en

**I**TEM, *Whereas the great men and commons have shewed to our lord the King, how divers merchants, as well foreigners as denizens, have withdrawn them, and yet do withdraw them, to come with cloths into England, to the great damage of the King and of all his people, because that the King's aulneger surmiseth to merchant strangers, that their cloths be not of assise, that is to say, The coloured cloth of the length of six and twenty yards measured by the crest, and of the breadth of six quarters and an half ; (2) and the cloth of ray, of the length of eight and twenty yards measured by the list, and of the breadth of six quarters ; (3) and whereas the same have been arrested as forfeit to our lord the King, they have prayed our said lord the King, that it may please him to release and put out such forfeitures in ease of his people, for a convenient recompence to be made to him of the other party ; Our lord the King, upon such condition hearing their supplication, hath released and excluded him of all the said forfeitures, and he willeth and granteth for him and for his heirs, that there shall be no cloths forfeit, although they be not of the same assise, but the King's aulneger shall measure the cloth, and mark the same, by which mark a man may know how much the cloth containeth : (4) And of as much as the cloth, which is bought for*

The length and breadth of coloured cloth, and cloth of ray.

The King's release of the forfeiture of cloths.

for cloth of affife, fhall be found  
 lefs than the affife, allowance  
 or abatement fhall be made to  
 the buyer in the payment which  
 he fhall make for the fame  
 cloth, after the quantity of the  
 price for which the cloth was  
 bought : (5) and the aulneger  
 fhall take for every cloth fo  
 meafured, which is of affife,  
 that is to fay, Of the feller an  
 half-penny, and of half a cloth  
 a farthing for his office, and no  
 more ; nor they fhall take no-  
 thing of the cloths which be  
 lefs than of the half cloth ; (6)  
 and that he nothing meddle of  
 the aulnage of any cloth, but  
 only of cloths which are to be  
 fold. (7) And for fo much  
 the faid lords and commons  
 have granted to the King a  
 fubfidy of every cloth which is  
 to be fold, to take of the feller  
 over the customs thereof due,  
 that is to fay, Of every cloth  
 of the faid affife, wherein there  
 is no grain, iv. d. (8) and of  
 every half fuch cloth, ii. d. (9)  
 and of every cloth of affife of  
 fcarlet, vi. d. (10) and of  
 every half fuch cloth, iii. d.  
 (11) and of every cloth half  
 grain of affife, v. d. (12) and  
 of every half fuch cloth, ii. d.  
 ob. (13) And that every cloth  
 paffing the half cloth of affife  
 by three yards and more, which  
 is no cloth whole of affife, and  
 alfo of every cloth paffing the  
 whole cloth by three yards and  
 more, fhall be taken after the  
 rate or fubfidy which is to be  
 paid for the whole cloth of the  
 fame fort ; (14) fo always, that  
 of no cloth which containeth  
 not half a cloth, nor of cloths  
 which a man maketh for his  
 own ufe to clothe him and his  
 meiny, nor of cloth fealed with  
 the feal of the collector of the  
 faid

en le paiement qil ferra pu  
 meifme le draps folonc la  
 quantite du pris pur quel le  
 draps feust achate & qe laune-  
 our preigne pur chefcun draps  
 iffint ainee qest daffife cest affa-  
 voir du vendour un maill & de  
 dimid' draps un ferthyng pur  
 fon office & nient plus ne qil  
 ne preigne rien de draps qe est  
 meinz qe di' draps et qil ne fe  
 melle rien de launage de nuls  
 draps fors foulement de draps  
 qe font a vendre. Et par tant  
 les ditz feignurs & communes  
 ont grante au Roi un fubfidy  
 de chefcun draps qest a vendre  
 a prendre du vendour outre les  
 custumes ent due cest affavoir  
 de chefcun draps du dite affife  
 en quele ny ad point de grain  
 iiij. d. & de dimi tieu draps ii.  
 d. de chefcun draps de fcarlet  
 daffife vi. d. & de dimi tieu draps  
 iii. d. & de chefcun draps daf-  
 fife de dimi grain cinque de-  
 niens & de di' tieu drap ii. d.  
 ob. Et qe de chefcun drap  
 paffant di' drap daffife par trois  
 aunes & plus qe n'est mie drap  
 entiere daffife & auffint de che-  
 cun drap paffant drap entiere  
 par trois aunes & plus soit pris  
 folonc lafferant du fubfid' qest  
 a paier pur le drap entiere de  
 meifme la forte iffint totesfoitz  
 qe de nul drap qe ne contien  
 pas di' drap ne de draps queux  
 homme fait a fon oepe demefne  
 pur vestir lui & fa meifnee ne  
 de draps enfealez du feal du  
 coillour du dit fubfid' de  
 queux meifme le fubfid' est une  
 foitz paie par le vendour a q  
 mains qe tieux draps devieg-  
 nent apres a vendre ou en au-  
 tre manere rien du dit fubfidy  
 soit paie ne demande. Et qe  
 tote manere de draps qe font  
 mis a vente avant qils soient  
 enfealez du dit feal soient for-  
 faitz

The aulneger's  
 fee for every  
 cloth and half  
 cloth fold.  
 Hardress, 206.

A fubfidy  
 granted to the  
 King of every  
 cloth.

faitz au Roi & pris en sa main par le dit coillour ou auneour ou par le depute de lun de eux ou autrement par baillifs de la ville ou tiel drap vendable nient enseale serra trove.

saïd subsidy, of which the same subsidy was once paid by the seller, to whose hands that such cloths shall come after to sell, or in any manner, nothing of the saïd subsidy shall be paid and demanded. (15) And that

such manner of cloths which be put to sale before that they be sealed with the saïd seal, shall be forfeit to the King, and taken into his hands by the saïd collector or aulneger, or by the deputy of one of them, or else by the bailiffs of the town where such vendible cloths not sealed shall be found.

Cloths put to sale before they be sealed shall be forfeit. Carthew, 325. 5 & 6 Ed. 6. c. 6. 11 W. 3. c. 20.

## CAP. V.

*It shall be felony to forestal or ingross Gascoïn wine.*

ITEM, It is assented and accorded, that defence and proclamation shall be made, that no *English* merchants shall engross nor forestal wines in *Gascoïn*, nor take them by way of buying any *Gascoïn*, nor of other, for to pay in *England*, for any greater sum than wines be commonly sold in *Gascoïn*, because of the prest, in peril of the sea, or by any other colour, (2) upon pain of life and member, and of forfeiture of the wines and of all their other goods and chattles to the King, and of forfeiture of their lands and tenements to the chief lords. (3) And the chief lords shall have a writ of escheat in such case.

Ex edit Pul' on. It shall be felony forestalling or ingrossing of *Gascoïn* wines. 4 Inst. 51. Repealed for the felony and for the forfeiture of lands by 37 Ed. 3. c. 16.

## CAP. VI.

*Merchants may bring their wines to what ports they will.*

ITEM, That all merchants *Gascoïns*, and other strangers, may safely bring their wines into *England*, to what port that shall please them, and make thereof their profits. (2) So always that the King's butler may make purveyance of wines of aliens when need shall be, making payment for the same wines within forty days, in the manner as hath been used in old time.

Merchants may bring their wines to what ports they will. 43 Ed. 3. c. 3.

## CAP. VII.

*When and where Gascoïn wines may be bought.*

ITEM, That no *English* merchant, nor any of his servants, nor other for them, shall go into *Gascoïn* there to abide, nor shall have any other there dwelling, to make bargain or buying of wines by any colour before the time of the vintage, that is to say, before that common passage be made to seek wines there. (2) And that none buy nor bargain by himself nor by other, any wines, but only in the ports of *Burdeaux* and *Bayon*; upon the pains and forfeitures next aforesaid. (3) And if any be there found doing against the same, he shall be taken and arrested by the steward of *Gascoïn*, or the constable of *Burdeaux*, and his body sent into *England* to the tower of *London*. (4) And that the same steward or constable certify the King in his chancery of the names of such arrested, and of their masters and fellows also, with all the deed.

It shall be felony for any *English* Merchant to lye in *Gascoïn* to buy wines, but in vintage time. Repealed for the felony and for the forfeiture of lands by 37 Ed. 3. c. 16.



## CAP. VIII.

*Red and white wine shall be gauged; and the punishment of him that hindreth it.*

Confirmed by  
28 H. 8. c. 14.  
f. 5.  
Red and white  
wine shall be  
gauged, and  
the punish-  
ment of him  
that doth hin-  
der it:

**I**TEM it is accorded and established, That all wines red and white, which shall come into the said realm, and into the land of *Wales* and *Ireland*, to sell, shall be well and lawfully gauged by the King's gaugers, or their deputies. (2) And if any do set disturbance or debate, and will not suffer the same to be gauged, he shall forfeit the said wines, and shall be punished by imprisonment, and ransomed at the King's will. (3) And if default be found in the gauger, that he or his deputy be not ready to do his office when he shall be required, or that he do fraud or deceit in doing his office, to the damage of the buyer or of the seller, he shall pay to the party grieved his treble damages, and lose his office, and be punished by imprisonment, and ransomed at the King's will. (4) And in case that less be found in the tun or pipe, than ought to be of right, after the assise, of the tun the value of as much as shall lack of such tun or pipe shall be allowed and deducted in the payment.

**A**Ussint ordene est & establisse que tous vins vermeilles & blauncs que vendront en le dit Roialme & en les terres de Gales & Irland a vendre soient bien & loialment gaugez par le gaugeour le Roi ou son depute. Et si nul mette destourbanche ou debate & ne voet mie soefrir ses vins estre gaugez qil forface les ditz vins & soit puni par emprisonement & reint a la volonte le Roi. Et si defaute soit trove en le gaugeour que il ou son depute ne soit mie prest de faire son office quant il serra requis ou face fraude ou deceit en faisant son office au damage de la chatour ou de le vendour paie a la partie endamagee ses damages au treble & perde son office & soit puni par emprisonement & reint a la volonte le Roi. Et en cas que meinz soit trove en le tonel ou pipe que ne deust estre de droit solonc lassise du tonel soit allowe & recoupe en le paiement la value de ee que faudra de tieu tonel ou pipe.

1 R. 3. c. 13.  
4 R. 2. c. 1.  
18 H. 6. c. 17.  
23 H. 6. c. 16.

The statute of the staple, made *Anno* 27 EDW. 3  
stat. 2. and *Anno Dom.* 1353.

**E**DWARD by the grace of God, &c. to our sheriffs, mayors, bailiffs, ministers and other our faithful people, to whom these present letters shall come, greeting. Whereas in good deliberation had with the prelates, dukes, earls, barons and great men of the counties, that is to say, of every county one for all the county, and of the commons of cities and Boroughs of our realm of *England*, summoned to our great council holden at *Westminster* the *Monday* next after the feast of *S. Matthew* the apostle, the seven and twentieth year of our reign of *England*

England, and of France the fourteenth, (2) on the damage which hath notoriously come as well to us and to the great men, as to our people of our realm of England, and of our lands of Wales and Ireland, becauſe that the ſtaple of wools, leather, and woolfels of our ſaid realm and land have been holden out of our ſaid realm and lands, and alſo for the great profits which ſhould come to the ſaid realm and lands if the ſtaple were holden within the ſame, and not elſewhere: (3) to the honour of God, and in relief of our realm and lands aforeſaid, and for to eſchew the perils that may happen of the contrary in time to come, by the counſel and common aſſent of the ſaid prelates, dukes, earls and barons, knights and commons aforeſaid, we have ordained and ſtabliſhed the things underwritten.

2 Hen. 5.

ſtat. 1. c.6.

2 Hen. 6. c.4.

3 Hen. 6. c.4.

## C A P. I.

Where the ſtaple for England, Wales and Ireland ſhall be kept. Whither merchandiſes of the ſtaple ſhall be carried, and what cuſtom ſhall be paid for them.

FIRST, That the ſtaple of wools, leather, woolfels, and lead, growing or coming forth within our ſaid realm and lands, ſhall be perpetually holden at the places underwritten; that is to ſay, for England at *Newcaſtle upon Tyne, York, Lincoln, Norwich, Weſtmiſter, Canterbury, Chicheſter, Wincheſter, Exeter and Briſtol*: (2) for Wales, at *Kaermerdyn*: (3) and for Ireland at *Devvlen, Waterford, Cork and Drogheda*, and not elſewhere. (4) And that all the ſaid wools, as well old as new, woolfels, leather and lead, which ſhall be carried out of the ſaid realm and lands, ſhall be firſt brought to the ſaid ſtaples, and there the ſaid wool and lead betwixt merchant and merchant, or merchant and others, ſhall be lawfully weighed by the ſtandard. (5) And that every ſack and ſarpler of the ſame wools ſo weighed, be ſealed under the ſeal of the mayor of the ſtaple. (6) And that all the wools ſo weighed and ſealed at the ſtaple of *York, Lincoln, Norwich, Weſtmiſter, Canterbury and Wincheſter*; and alſo leather, woolfels, and lead which ſhall come there, (the cuſtoms of the ſtaple thereof paid,) ſhall be witneſſed by bill, ſealed with the ſeal of the mayor of the ſtaple, and brought to the ports under written, that is to ſay, from *York to Hull*, from *Lincoln to ſaint Botolf*, from *Norwich to great Yarmouth*, from *Weſtmiſter to London*, from *Canterbury to Sandwich*, and from *Wincheſter to Southampton*. And there the ſaid wools and lead ſhall be another time weighed by our cuſtomers aſſigned in the ſame ports. (7) And all the wools and lead brought to the ſaid ports of *Newcaſtle, Chicheſter, Exeter, Briſtow, Kaermerdyn, Devvlin, Waterford, Cork and Drogheda*, where the other ſtaples be holden, ſhall be but once weighed by the ſtandard betwixt merchant and merchant, or merchant and other, in preſence of our cuſtomers there. (8) And an indenture ſhall be made betwixt the mayor of the ſtaple being in the port of the ſea, and our cuſtomers there, of all the wools and lead ſo weighed, and alſo of all the leather and woolfels which ſhall come to the ſaid ſtaples to paſs there, (9) and the

Co. Inf. 3 par. 95.

At which towns the ſtaple of wool, leather, fells and lead for England, Wales and Ireland, ſhall be holden.

St. 43. Ed. 3.

c.1.

14 R. 2. c.1.

Merchandiſe of the ſtaple carried from ſtapletowns to Port-towns.

An indenture ſhall be made between the mayor of the ſtaple and the cuſtomer, of

all the wool and lead weighed. The feveral customs of merchandifes of the staple to be paid by denizens and aliens. Merchants aliens, and not the King's fubjects, fhall transport beyond the fea, wool, &c.

Every merchant ftranger fhall be fworn to hold no staple beyond the fea.

the fame wools and lead, and alfo the leather and woolfels cut-tomed and cocketed, and the customs thereof duly paid to our faid customers in all the faid ports; that is to fay, of denizens for the time that they have paffed, half a mark of a fack of wool, half a mark of three hundred woolfels, a mark of a laft of leather; (10) and of aliens ten fhillings of a fack of wool, ten fhillings of three hundred woolfels, and twenty fhillings of a laft of leather, and three pence for every fow of lead: (11) then the faid merchandifes fhall be carried by merchants ftrangers, which have bought the fame, and not by *Englishmen, Welshmen,* nor *Irifhmen*, to the parts beyond the fea out of the faid realm and lands, to what parts it fhall please the faid merchants ftrangers. (12) And that the faid mayor and customers fhall delay no man willingly for gain, nor for fuch caufe, nor in other manner fhall any thing take of any perfon to do that which pertaineth to their office, upon pain of imprifonment, and to pay the party the double of that which they have fo taken, and alfo of that which the party fhall be endamaged becaufe of fuch taking or delay, and moreover be ransomed at our will, but fhall hold them content of that which they did take in certain to do their office. (13) And that the mayor of the staple and customers take an oath of all the merchants which fo fhall pafs with woels, leather, woolfels and lead, that they fhall hold no staple beyond the fea, of the fame merchandifes.

#### C A P. II.

*Merchants ftrangers may come into, and depart forth of the realm with their goods; and none of them fhall be taken by the King's purveyors.*

A fafe conduct granted to merchant ftrangers to come and dwell in this realm, and to return when they will, and none of their goods fhall be taken by the King's purveyors without their confent.

**I**TEM, to replenifh the faid realm and lands with money and plate, gold and fiver, and merchandifes of other lands, and to give courage to merchant ftrangers to come with their wares and merchandifes into the realm and lands aforefaid, (2) we have ordained and eftablifhed, That all merchants ftrangers, which be not of our enmity, of what land or nation that they be, may fafely and furely under our protection and fafe conduct come and dwell in our faid realm and lands where they will, and from thence return with their fhips, wares and all manner of merchandifes, and freely fell their merchandifes at the staple and elfewhere within the fame realm and lands, to any that will buy them, paying the customs thereof due. (3) And more to assure the merchant ftrangers and others bringing goods and merchandifes within the faid realm and lands, we will and grant for us and for our heirs and fubjects, That nothing fhall be taken over the customs aforefaid, nor taken of them to our ufe by colour of fale, nor in other manner againft their will, nor by the minifters of us or of our heirs: nor by the minifters of any of the prelates, dukes, earls, barons, lords nor ladies, nor of any other great nor fmall. (4) And if any minifter or other, by colour of his office, or in other manner take any thing of them againft their agreement, he fhall be incontinently arrefted by the mayor

and

and bailiffs of the place, if it be out of the staple, or by the mayor or ministers of the staple if it be within the staple: (5) and speedy and ready process shall be against him from day to day, and from hour to hour, according to the law of the staple, and not at the common law, as well out of the staple as within, at every man's complaint that so shall be grieved. (6) And if he be thereof attainted, he shall pay to the merchant the double of that which he hath taken, and as much to us. (7) And that no commission be made to take such prises of the said merchants; and if any commission be made, it shall be holden for none.

## CAP. III.

*All persons may buy wools, fells, &c. so that they bring them to the staple. It shall be felony for an English, Welsh, or Irish merchant to transport wool, &c.*

ITEM, we will and grant, That all merchants, as well aliens as denizens, may buy woolls, leather, woolfells and lead, through our realm and lands, without covin or collusion to abate the price of the said merchandises. So always that they bring the same to the staples, (2) and that no merchant, *English, Welsh* nor *Irish*, shall carry any manner of woolls, leather, woolfells or lead out of the said realm and lands, upon the pain of life and member, and of forfeiture of the said merchandises, and of all other heir goods and chattels to us, and of forfeiture of all their lands and tenements to the chief lords. (3) And the chief lords shall have a writ of escheat in the case. (4) And that no strange merchant by covin betwixt them and *English, Irish* or *Welsh* merchants shall carry out of the realm and lands aforesaid, the said wares and merchandises to the profit of *English, Irish* or *Welsh* merchants, in part or in all. (5) Nor that any merchant, *English, Irish*, or *Welsh*, nor other, make covin or collusion with merchants strangers, to carry their woolls, leather, woolfells or lead, to the parts beyond the sea, out of the realm and lands aforesaid, under the name of merchants strangers, nor shall send nor hold their servants, or other their attorneys in the parts beyond the sea, out of our said realm and lands, to sell or to survey the sale of their said woolls, leather, woolfells and lead here, or to receive the money coming of the sale of the said woolls, leather, woolfells and lead. (6) Nor that any *Englishman, Irishman*, or *Welshman*, by himself nor by other, take payment of gold nor of silver, nor of other thing in recompence or commutation, or in the name of payment in the parts beyond the sea out of the realm and lands aforesaid, of merchandises sold in *England, Ireland* or *Wales*, touching the staple, but all such payment shall be made in gold or silver or merchandise in *England, Ireland* or *Wales*, where the contract was made, upon the forfeitures and pains next aforesaid. (7) Nor that the merchants strangers nor denizens make betwixt them privily nor apertly, any company or confederacy in fraud or deceit of his ordinance, nor that any maintain the same for gain, nor in

All merchants may buy merchandises of the staple, so that they bring them to the staple. It shall be felony for an English, Welsh, or Irishman to transport wool, fells, leather, or lead. 28 Ed. 3. c. 13. 36 Ed. 3. c. 11. 38 Ed. 3. c. 6. 43 Ed. 3. c. 1. 14 R. 2. c. 5. No Englishman, &c. shall transport wool, &c. in a stranger's name, nor keep a servant beyond the sea, to survey the sale of wool, &c. There shall be no exchange of wares for merchandises of the staple, but payment in silver, &c.

Every man may carry his own wool, &c. to the staple to fell.

Warranty of packing of wool.

other manner do to any fuch fraud or deceit upon the fame pains and forfeitures. (8) And always it is to be understood, that every *Engliſhman* *Irifhman* or *Welſhman*, may freely bring their own wools, leather, woolfells and lead, to the staple to fell there, without being compelled to fell them in the country. (9) And that every merchant that ſhall fell his wools at the staple be bound to warrant the packing of the fame wools.

#### CAP. IV.

*None going unto, or returning from the ſtaple, ſhall be diſturbed by purveyors.*

None going to or coming from the ſtaple, ſhall be diſturbed by the King's purveyors.

**I**TEM, forafmuch as no ſtaple may be profitable for us and for our ſaid realm and lands, unleſs it be free: (2) we will and grant for us and for our heirs, for the maintenance of the ſaid ſtaple, that all manner of people may come with their carriage and goods to the ſtaple, and from the ſame return freely, without being diſturbed by priſes of us or of any other: ſaving to us and to our heirs all manner of priſes royal, of all manner of carriages and victuals through all our ſaid realm and lands of old times due and uſed of right, as have been made by us and by our ancestors in time paſt. (3) And every carrier returning from the ſtaple, ſhall have a bill under the ſeal of the mayor of the ſtaple, whereby it may be known that he ſerveth the ſtaple, containing the journeys which he needeth for his return to the houſe, which bill ſhall be freely granted to him. And the ſame mayor ſhall be ſworn that he ſhall make no ſuch bill for any other than which ſerveth the ſtaple. (4) And if any ſuch carrier, carts, ſhips, beaſts, or other thing, which ſerveth for carriage of that which pertaineth to the ſtaple, be taken, and be within the verge out of the ſtaple, huy and cry ſhall be levied upon the takers, and the takers ſhall be preſently apprehended by people of the town where the priſe was made, or by people of another town, if they be lacking, and brought before the ſteward and marſhal of our houſe: and there ready puniſhment ſhall be made of them, according as the deed requireth. (5) And if any ſuch priſe be made out of the verge, huy any cry ſhall be levied, and the takers ſhall be taken and arreſted by the town where ſuch priſes ſhall be made, or by other towns near, if they be lacking, and brought to the next gaol, and there to be done of them as of felons, if the deed the ſame require. (6) And in caſe that the people of ſuch towns be negligent, and will not purſue and arreſt ſuch takers as before is ſaid, the four towns next ſhall answer of the damages that may be found before them whom we ſhall thereto aſſign, that the plaintiffs have incurred by their default, if they cannot reaſonably excuſe themſelves thereof. (7) And if ſuch priſes be made in a place where the ſtaple is, the takers ſhall be arreſted by the mayors and miniſters of the ſtaple, and right done to the plaintiffs by the ſaid mayors and miniſters. (8) So always, that if ſuch priſe be made at the ſtaple, and the ſtaple be within the verge, and the takers arreſted be of one houſe, then right ſhall be done of them by the mayor and miniſters of the ſtaple. (9) And the ſteward and marſhal of

What penalty ſhall be inflicted, and by whom, upon thoſe that take the goods of the ſtaple.

our houfe, or the fteward's lieutenant fhall be thereto called, if they will be there, to fee that right be done of the faid takers according to the law of the ftaple. (10) And in cafe they come not, the mayor and minifters of the ftaple fhall proceed in the procefs, and do juftice according to the law of the ftaple, notwithstanding the not coming of the fteward or marfhall, or lieutenant aforefaid.

## CAP. V.

*None of the King's juftices fhall take cognifance of things belonging to the ftaple.*

TEM, In cafe that our bench or common bench, or juftices in eyre, or juftices of affife, or the place of the marfhalsea, or any other juftices come to the places where the faid ftaples be, the faid juftices nor ftewards, nor marfhalls, nor of other the faid place, fhall have any cognifance there, of that thing which pertaineth to the cognifance of the mayor and minifters of the ftaple.

None of the King's juftices fhall take cognifance of thofe things that do belong to the ftaple.

## CAP. VI.

*None of the King's officers fhall meddle where the ftaples be.*

TEM, we will and defend, That no marfhall nor other minifter of our houfe, or of others, fhall make livery, nor meddle in the places where the ftaples be holden and kept, nor with the houfes where the faid merchants or their people, or pools, or other merchandifes of the ftaple be lodged, nor enter to the fame to execute their office there, nor take any thing thereof to fpare any, upon pain to make gree to the party at thofe fuit he fhall be attainted, of the quatreble of that which the plaintiff fhall be endamaged, and further fhall be grievoufly punifhed by us.

None of the King's officers fhall meddle in the places where the ftaples be holden.

## CAP. VII.

*Licences granted to carry merchandifes forth of the realm fhall be void.*

TEM, we will and grant, That no licence or privilege to make paffage by *Englifhmen, Irifhmen, or Welshmen*, of wools, fether, woolfells or lead, out of the fame realm, and lands, fhall be granted by us or our heirs againft this ordinance. (2) And if any be granted to the contrary, they fhall be holden for none. (3) And they fhall give no warranty, nor excufe to them, which fhall caufe to be paffed the faid merchandifes, that they fhall not incur the pains and forfeitures contained in the faid article.

If any licence fhall be granted to transport &c. contrary to this ftatute, it fhall be void. 3 Bulfr. 21.

## CAP. VIII.

*The jurifdiction of the mayor and conftables of the ftaple. All people of the ftaple fhall be ruled by the law-merchant, and not by the common law.*

TEM, we have ordained and eftablifhed, That the mayors and conftables of the ftaple fhall have jurifdiction and cognifance within the towns where the ftaples fhall be, of people, and

The jurifdiction of the mayor and conftables of

the staple and of what things and between what perfons they may hold plea.

of all manner of things touching the staple. (2) And that all merchants coming to the staple, their fervants and meiny in the staple, shall be ruled by the law-merchant, of all things touching the staple, and not by the common law of the land, nor by ufage of cities, boroughs, or other towns; (3) and that they fhall not implead nor be impleaded before the justices of the faid places in plea of *debt*, *covenant* and *trespafs*, touching the staple, but fhall implead all perfons of whom they will complain, as well fuch as be not of the staple, as thofe that be of the staple, which fhall be there found. (4) And in the fame manner they fhall be impleaded only before the mayor and justices of the staple, which fhall be thereto deputed of all manner of pleas and of actions, whereof the cognizance pertaineth to the minifters of the staple. (5) So always that all manner of contracts and covenants made betwixt merchant and merchant, or other, whereof the one party is a merchant or minifter of the staple, whether the contract or covenant made, be within the staple or without, and alfo of trespaffes done within the staple to merchants, or to minifters of the staple by other, or by any of them to other; the party plaintiff fhall chufe whether he will fue his action or quarrel before the justices of the staple by the law of the staple, or in other place of the common law: and he fhall be thereto received: (6) fo always that in the pleas touching any of our houfe, the steward or his lieutenant, and the marshals of our houfe fhall be with the mayor of the staple, to fee that right be done to the parties as before is faid, if they will be there. (7) But pleas of land and of freehold fhall be at the common law. (8) And if merchants or their people being in the staple, becaufe of the fame do commit felony or be flain, robbed or maimed by any perfons, the mayor of the staple and other meet perfons fhall be affigned justices, to hear and determine the faid felonies and maims within the staple without delay, according to the common law. (9) And if any fuch felon or trespaffer be taken or detained within any franchise to whomsoever the fame be, becaufe of fuch felony or maim done within the staple, it fhall be prefently commanded by writ, to caufe the faid felon, or him that did the maim, to come before the faid justices to do right of him in form aforefaid. (10) And if they that have fuch prifoners in ward, will not deliver them, they fhall incur the pain of an c.l. to us. And neverthelefs they fhall deliver the body in the form aforefaid. (11) And in cafe that any indictment be made out of the staple, of felonies or trespaffes done by people of the staple, or by other to them within the staple, the fame indictment fhall be fent before the faid mayor, and them which fhall be affigned justices with him, to do right in this party. (12) And if the plea or debate be made before the mayor or of the staple, betwixt the merchants or minifters of the fame and thereupon to try thereof the truth, an inqueft or proof is to be taken: we will that if the one party and the other be ftranger, it fhall be tried by ftrangers: (13) and if the one party and the other be Denizens, it fhall be tried by denizens: (14)

36 Ed. 3. c. 7.

Pleas of land felony or maim done within the staple.

Where the tryal of a fuit in queftion fhall be by denizens, and where by medietatem linguarum.  
28 Ed. 3. c. 13.  
8 H. 6. c. 29.

if the one party be denizen, and the other an alien, the one of the inqueft or of the proof fhall be of denizens, and the other half of aliens.

## CAP. IX.

*The effect of a recognifance knowledged in the staple for recovery of a debt.*

TEM, to the intent that the contracts made within the fame staple fhall be the better holden, and the payments readily made: we have ordained and eftablifhed, That every mayor of the faid staples fhall have power to take recognifances of debts, which any man will make before him, in the prefence of the conftables of the faid staple, or one of them. (3) And that in every of the faid staples be a feal ordained, remaining in the cuftody of the mayor of the faid staple, under the feals of the conftables, (4) and that all recognifances which fhall be made upon fuch recognifance, be fealed with the faid feal, paying for every obligation of an c.l. li. and within, of every li. an ob. and of every obligation above a li. a q. (5) And that the mayor of the staple by virtue of the faid letters fo fealed, may take and hold in prifon the bodies of the debtors after the term incurred, if they be found within the staple, if they have made gree to the creditor of the debt and damages. (6) And alfo arreft the goods of the faid debtors found within the faid staple, and deliver the faid goods to the faid creditors, either by true eftimation, or to fell them at the beft that a man may, and deliver the money to the creditors until the fum due. (7) And in cafe that the debtors be not found within the staple, nor their goods to the value of the debt, the fame fhall be certified in the chancery under the faid feal, (8) by which certification a writ fhall be fent to take the bodies of the faid debtors, without detaining them to mainprife, and to feife their lands and tenements, goods and chattles. (9) And the writ fhall be returned in the chancery, with the certificate of the value of the faid lands and tenements, goods and chattles. (10) And thereupon due execution fhall be made from day to day, in manner as it is contained in the ftatute merchant, fo that he to whom the debt is due, fhall have eftate of freehold in the lands and tenements, which fhall be delivered to him by vertue of the fame procefs, and recovery by writ of *Novel diffeifin*, in cafe if he be outed. (11) And if the debtor have no advantage of the quarter of a year which is contained in the faid ftatute-merchant. (12) And in cafe that no creditor will have letters of the faid feal, but will ftand upon the faith of the debtor, if after the term incurred he demand the debt, the debtor fhall be delivered upon that faith.

## CAP. X.

*There fhall be but one weight, meafure and yard through the realm.*

TEM, becaufe we have perceived, that fome merchants do buy *avoir de pois*, wools and other merchandifes by one weight, and fell by another, and make alfo deceitful draughts upon

The effect of recognifance for the recovery of debts acknowledged before the mayor and conftables of the staple.

In what manner execution fhall be made of the ftatute of the staple.

Execution awarded out of the chancery if the debtor have not fufficient in the staple.  
Regift fo. 151.  
289.  
Fitz N.B.f. 131.  
178. C. 267.

What eftate the creditor fhall have in the debtors land extended.  
13 Ed. 1.  
ftat. 3. c. 1.  
15 R. 2. c. 9.  
23 H. 8. c. 6.



There shall be one weight, one measure, and one yard through all the land.

The penalty of him which doth not weigh by equal ballance  
 9 Hen. 3.  
 stat. 1. c. 25.  
 74 Ed. 3.  
 stat. 1. c. 12.  
 9 Hen. 5. c. 3.  
 8 H. 6. c. 5.  
 71 H. 7. c. 4.  
 76 Car. 1. c. 19.

It shall be felony to forestal, buy, or give earnest for any merchandises before they come to the staple or port, or to go into the ship for that cause.  
 28 Ed. 3. c. 13.

upon the weight, and also use false measures and yards, in great deceit of us and all the commons, and of lawful merchants: (2) we will and establish, that one weight, one measure, and one yard, be through all the land, as well out of the staple as within. (3) And that wools, and all manner *avoir de pois*, be weighed by the ballance, so that the tongue of the ballance be even, without bowing to the one side or to the other, or without putting hand or foot, or other touch making of the same. (4) And that he which doth against the same, to the damage of the seller, shall forfeit to us the value of the merchandise so weighed and measured. (5) And the party that will complain him, shall have the quatreble of that which he shall be indamaged. (6) And the trespasser shall have one year's imprisonment, and be ransomed at the King's will. (7) And thereupon justices shall be assigned to require of such trespasses at all times that shall be needful, and to do right as well at our suit as at the suit of other that hereof will complain.

### CAP. XI.

*The penalty for forestalling of merchandises before they come to the staple.*

**I**TEM, we have ordained and established, that all merchants, aliens and denizens, and other that do bring wines and other wares or merchandises whatsoever they be to the staples, cities, boroughs, and good towns, or to ports of the sea within our said realm and lands, may safely and without challenge and impeachment of any sell them in gross or at retail, or by parcels at their will, to all manner of people that will buy the same. (2) And that no merchant, privy nor stranger, nor other of what condition that he be, go by land nor by water toward such wines, wares, or merchandises, coming into our said realm and lands in the sea, nor elsewhere, to forestal or buy them, or in other manner, to give earnest upon them before that they come to the staple, or to the port where they shall be discharged, nor enter into the ships for such cause, till the merchandises be set to land to be sold, upon the pains and forfeitures contained in the same third article aforesaid.

### CAP. XII.

*The penalty of selling wool, &c. to a Scottishman to be carried into Scotland.*

**I**TEM, That no merchant, privy nor stranger, nor other, shall carry out of our realm of *England* wools, leather, or woollfells to *Berwick upon Tweed*, nor elsewhere, nor into *Scotland*, nor that any man merchant nor other, of what condition that he be, sell his wools, woollfells or leather, to any man of *Scotland*; nor to any other to carry into *Scotland*, upon the pains and forfeitures contained in the said third article.

## C A P. XIII.

*A remedy where a merchant's goods be robbed or perished on the fea.*

**I**TEM, we will and grant, That if any merchant, privy or stranger, be robbed of his goods upon the fea, and the goods fo robbed come into any parts within our realm and lands, and he will fue for to recover the faid-goods, he fhall be received to prove the faid goods to be his own by his marks, or by his chart or cocket, or by good and lawful merchants, privy or strangers. (2) And by fuch proofs the fame goods fhall be delivered to the merchants, without making other fuit at the common law. (3) And in cafe that any fhips going out of the faid realm and lands, or coming to the fame, by tempeft or other miffortune, break upon the fea-banks, and the goods come to the land, which may not be faid wreck, they fhall be prefently without fraud or evil device delivered to the merchants to whom the goods be, or to their fervants, by fuch proof as before is faid, paying to them that have faved and kept the fame, convenient for their travel; that is to fay, by the difcretion of the fheriffs and bailiffs, or other our minifters in places guildable, where other lords have no franchise, and by the advice and affent of four or fix of the beft or moft fufficient difcreet men of the country, (4) and if that be within the franchise of other lords, then it fhall be done by the ftewards and bailiff, or wardens of the fame franchise, and by the advice of four or fix difcreet men of the country, as afore is faid, without any delay.

How merchants robbed on the fea, whofe goods be brought in to this realm, fhall be relieved.

3 Bulfr. 28.

Ships perished on the fea.

## C A P. XIV.

*Merchants may bring in gold or filver to the King's exchanges, and carry out as much.*

**I**TEM, we have ordained, That all merchants privy and ftrangers, may fafely carry and bring within our faid realm and lands, plate of filver, and billets of gold, and all other manner of gold, and all money of gold and filver to our bullion, or to our exchanges, which we fhall caufe to be ordained at our faid ftaples, and elfewhere, taking their money of our coin of gold and filver conveniable to the value. (2) And if any will take good money of gold and filver of other coin than of ours in payment, he fhall take the fame without impeachment, fo that none be thereunto compelled if he will not take it of his good will.

II. Provided always, That no money have common courfe within our faid realm and lands, but the money of gold and filver of our coin. (2) And that none carry out of our faid realm and lands the old fterling, nor other money but our new money of gold and filver, except the merchants ftrangers that bring to our faid realm and lands any manner of money, and there will employ this money within our realm and lands: whom we will that they may re-carry into their country all this money, or as much

Poph. 149. Merchants may bring in gold or filver in money or bullion to the King's exchanges, and carry forth as much new mo-

ney, but not old  
sterling.

much as shall remain thereof not employed without impeachment: so always that good and lawful search be thereof made in the ports, and other places where any arrival is. (3) And that all the money that every merchant-stranger shall bring within our said realm and lands, shall be put in writing by the searchers, to the intent that no merchant shall carry more beyond the sea than he brought into the same realm and lands.

All false money shall be  
forfeited to the  
King.

III. Provided always, That no minister nor other by colour of such search, shall make impeachment or disturbance to any merchant-stranger to grieve him unduly. (2) And that all the false money that may be found by search, or in other manner espied within the same our realm and lands in deceit of our good money, shall be forfeited to us, according to the ordinances another time thereof made.

### C A P. XV.

*Indentures shall be made between carriers of wool by the water, and the bailiffs of towns where they load them; which carriers shall be sworn and bound to carry them to the staple.*

Indentures shall be made between carriers of wool &c. to the staple by fresh water, or arms of the sea, and the bailiffs of towns where they ship them.

ITEM, we will and establish, That they that have wools, leather, fells, and lead in the country betwixt the places where the staples be and the sea, and the same will cause to be carried to the staples by fresh waters, or by arms of the sea, shall make indenture betwixt them and the bailiffs of the towns where they put them in ship, testifying how much wools, leather, fells, and lead is so put in ship. (2) And the bailiffs of the places shall take an oath and sufficient surety, for which they will answer, of them and the mariners, that they shall go with the same wools, leather, fells, and lead to the staple, and no part elsewhere, and there shall discharge before they do enter the sea. (3) And that the bailiffs send presently the one part of the indenture containing the surety and the quantity of the wools, leather, woofsels and lead, to the mayor of the staple, at their costs that owe the goods, by some man for whom they will answer, (4) And if any mayor, bailiffs, or other minister of the places where such merchandises shall be charged, suffer the said merchandises to pass in other manner, as well the mayors, and bailiffs and ministers aforesaid, as the merchants which the same shall charge, shall incur the pains and forfeitures contained in the said third article.

### C A P. XVI.

*Houses shall be set for reasonable rents in staple-towns, imposed by the mayor, &c.*

Reasonable rents shall be imposed upon houses provided for the staple by the mayor &c.

ITEM, That in every town where the staple shall be holden, shall be ordained certain rews and places, where the wools, and other merchandises shall be put; (2) and because that the lords, or guardians of the houses and places (seeing the necessity of merchants) do set percase their houses at too high ferm: (3) we have ordained, That the houses which be to be leasid in such manner

nanner, fhall be fet at a reasonable ferm, according to the ordinance of the mayor and conftables of the ftaple, and of four difcreet men of the beft of the town where the ftaple is, which fhall be fworn in the prefence of the faid mayor and conftable, to make a lawful tax; fo that for default of houfes, the ftaple fhall not be impeached. (4) And that no man that bringeth his wools or other merchandifes there, be difturbed to lodge the fame wools or other merchandifes in the houfes which they have fo hired.

## CAP. XVII.

*A merchant-ft ranger fhall not be impeached for another's debt but upon good caufe. Merchants of enemies countries fhall fell their goods in convenient time, and depart.*

ITEM, That no merchant-ft ranger be impeached for another's trespafs, or for another's debt, whereof he is not debtor, pledge, nor mainpernour: (2) provided always, That if our liege people, merchants or other, be indamaged by any lords of ft range lands or their fubjects, and the faid lords (duly required) fail of right to our faid fubjects, we fhall have the law of marque, and of taking them again, as hath been ufed in times paff, without fraud or deceit. (3) And in cafe that debate do rife (which God defend) betwixt us and any lords of ft range lands, we will not that the people and merchants of the faid lands be fuddenly fubdued in our faid realm and lands becaufe of fuch debate, but that they be warned, and proclamation thereof publifhed, that they fhall void the faid realm and lands with their goods freely, within forty days after the warning and proclamation fo made. (4) And that in the mean time they be not impeached nor let of their paffage, or of making their profit of the fame merchandifes if they will fell them. (5) And in cafe for that default of wind, or of fhip, or for ficknefs, or for other evident caufe, they cannot avoid our faid realm and lands within fo fhort a time, then they fhall have other forty days, or more if need be, within which they may pafs conveniently, with felling their merchandife, as afore is faid.

## CAP. XVIII.

*Merchants of Ireland or Wales may bring their merchandifes to the ftaples of England.*

ITEM, becaufe we do well perceive, That merchants-ft rangers do not come fo commonly into *Ireland* nor into *Wales* for to merchandife as they do into *England*, (2) we will of our fpecial grace, that it fhall be lawful to the people of *Ireland* and *Wales*, which cannot utter their wools, leather, woolfells, and lead in *Ireland* and *Wales*, to all merchants-ft rangers to come with their faid merchandifes, after that they be cuftomed and cocketed in *Ireland* and in *Wales*, to any of our ftaples in *England* which them fhall pleafe, bringing their cockets, witnessing their merchandifes, which they fhall difcharge at the ftaples in *England*:

(3) fo

2 Inft. 205.  
One merchant's goods fhall not be feifed for another's debt, but upon caufe.  
Law of marque.  
Merchants of enemies countries fhall have convenient time by proclamation to fell their goods, and to depart.  
4 H. 5. c. 7.

Merchants of Ireland and Wales which cannot fell their wool, &c. there, may bring the fame to any of the ftaples of England.

It ſhall be felony for any Welch or Iriſh men to carry their wool, &c. to any other place ſaving to the ſtaple.

(3) ſo that they when they ſhall come to the ſtaples in *England*, or they that bought their ſaid merchandiſes of them, ſhall not pay another time cuſtom nor ſubſidy for the ſaid merchandiſes ſo cuſtomed in our ſaid lands of *Ireland* and *Wales*. (4) And our treaſurer, and the barons of our exchequer of *England*, ſhall be certified two times by the year at the leaſt; that is to ſay, at *Eaſter* and *Michaelmas*, how much wools, leather, woolfells, and lead ſhall paſs out of the ſaid land of *Ireland*, and of the cuſtom thereof paid. (5) And in caſe that the merchants or other people of *Ireland* or of *Wales* after that they be in the ſea with their ſaid merchandiſes, do paſs to any place other than to the ſtaples in *England*, they ſhall incur the pains and forfeitures in the ſaid third article.

## CAP. XIX.

*None ſhall loſe his goods by his ſervants offence. Speedy juſtice ſhall be done from day to day, and from hour to hour.*

No merchant ſhall loſe his goods for the offence of his ſervant.

**I**TEM, That no merchant nor other, of what condition that he be, ſhall loſe or forfeit his goods nor merchandiſes for the treſpaſs and forfeiture of his ſervant, unleſs he do it by the commandment or procurement of his maſter, or that he hath offended in the office in which his maſter hath ſet him, or in other manner, that the maſter be holden to anſwer for the deed of his ſervant by the law-merchant, as elſewhere is uſed.

Speedy juſtice ſhall be done to merchants from day to day, and from hour to hour.

(2) And becauſe that merchants may not often long tarry in one place for levying of their merchandiſes, we will and grant, that ſpeedy right be to them done from day to day, and from hour to hour, according to the laws uſed in ſuch ſtaples before this time holden elſewhere at all times, when they will them complain of any, or that any will complain of them, ſo that the merchants be not by malice delayed for default of ſpeedy remedy.

## CAP. XX.

*Merchants ſtrangers taken in the King's proteſtion; and for their wrongs ſhall recover double damages.*

Merchants ſtrangers ſhall have preſent remedy for any grievances done to them.

**I**TEM, becauſe we have taken all the merchants ſtrangers in our ſaid realm and lands, into our ſpecial proteſtion, and moreover granted to do them ſpeedy remedy of their grievances, if any be to them done: (2) we have ordained and eſtabliſhed, That if any outrage or grievance be done to them in the country, out of the ſtaple, the juſtices of the place where ſuch outrages ſhall be done, ſhall do ſpeedy juſtice to them after the law-merchant from day to day, and from hour to hour, without ſparing any man or to drive them to ſue at the common law. (3) And if any be convict, that he hath grieved the merchants ſo taken in our proteſtion, he ſhall be puniſhed by us for the contempt done to us, in as much as ſhall be judged to the merchants for their damages. And to the ſaid merchants ſtrangers their double damages ſhall be judged.

CAP. XXI.

*A mayor and two conftables fhall be chofen yearly in every ftaple-town: and their authority.*

**I**TEM, becaufe the ftaples cannot long continue, nor the ordinances thereof made and to be made, be kept, if good executors and iuftices be not eftablifhed to make thereof good and ready execution: (2) we have ordained and eftablifhed, That in every town where the ftaple is ordained, a mayor good, lawful, and fufficient, fhall be made and eftablifhed, having knowledge of the law-merchant, to govern the ftaple, and to do right to every man after the laws aforefaid, without favour, fparing, or grief doing to any. (3) And in every place where the ftaple is, fhall be two conveniabile conftables now at his beginning placed by us, to do that pertaineth to their office as in other ftaples is accuftomed; and when they fhall be dead, or changed, then other fhall be chofen by the commonalty of the merchants of the faid places: (4) and that no mayor hold the office over one year, unlefs he be newly chofen by the commonalty of the merchants, as well of ftrangers as of denizens. (5) And that the faid mayor and conftables have power to keep the peace, and to arreft offenders in the ftaples for debt, trefpafs, or other contract, and them to put in prifon, and punifh after the law of the ftaple. (6) And a prifon fhall be ordained for the fafe keeping of them that fo fhall be imprifoned. (7) And the mayors, fheriffs, and bailiffs of the towns where the ftaple is, or adjoining to the ftaple, fhall be attending to the mayor and minifters of the ftaple, to do execution of their commandments, upon pain of grievous forfeiture: (8) and one lord or other of the moft fufficiency in the country where the ftaple is, fhall be affigned to be aidant to the mayor and minifters of the ftaple, to iuftify difobedient perfons, which by the faid mayor and minifters cannot be iuftified, and to maintain and counfel them when need fhall be to the good governance of the ftaple, and to redrefs at every man's complaint that which fhall be miftaken by the faid mayor or minifters, or other, and to do right to the complainants in this behalf.

There fhall be a mayor and two conftables in every ftaple town, and what by their office they may do.

II. And if any merchant will complain of the mayor or of the conftables, that they have failed of right, or fhewed favour againft reafon to either of the parties, it fhall be fpeedily redreffed by the chancellor and our council without delay.

Regift. 18.

III. And that the fame mayor and conftables do not, nor ordain any thing contrary to thefe ordinances, nor make interpretation nor exception to them, otherwife than the words do purport; (2) but if there be any thing that is doubted, it fhall be fhewed to our council, and there declared by good advice.

## C A P. XXII.

*Correctors fhall be appointed in the ftaple-towns to make and record bargains.*

Correctors fhall be appointed to make and record bargains between buyers and fellers.

**I**TEM, We have ordained, that in every place where the ftaple fhall be holden, there fhall be a certain number of correctors, as well of ftangers as of privies, good people, fufficient, and having knowledge of fuch myftery, lawfully to make and record the bargains betwixt the buyers and the fellers, as hath been ufed in other ftaples holden in other places; (2) and that they find fufficient mainpernors before the mayor and conftables of the ftaple, lawfully to do that pertaineth to their office: (3) and if they be found in default, they fhall pay to him that is indamaged as much as his lofs fhall amount to: (4) fo that they meddle them not with any manner of merchandife for the time that they fhall abide in the office. (5) And that no man be conftained to have a corrector unlefs he will of his own good will, nor to pay any thing to any corrector unlefs he meddle of his bargain at his request.

## C A P. XXIII.

*The officers of the ftaple, and merchants repairing to it, fhall be fworn to maintain the ftaple, and the laws and cuftoms of it.*

Officers of the ftaple and merchants coming thither, fhall be fworn to be ordered and to maintain the laws of the ftaple.

**I**TEM, That a certain number of porters, packers, winders, workers, and other labourers of wools, and all other merchandifes, be fufficiently ordained for the place where the ftaple is; and they and the correctors, and all manner of officers of the ftaple, befides the conftables, fhall be fworn before the mayor of the ftaple, that they lawfully fhall execute their office, without fraud or deceit. (2) Also all merchants, aliens and denizens, coming to the faid ftaples becaufe of merchandife, fhall be fworn before the faid mayor and conftables, that they fhall be juftified by the fame mayor and conftables, according to the law and ufage of the ftaple, and fhall maintain as much as in them is the ftaple, and the laws and ufages of the fame, without fraud or deceit. (3) And the mayor and conftables fhall be fworn in the chancery to do lawfully that which pertaineth to them.

14 R. 2. c. 3.

## C A P. XXIV.

*Two merchants aliens fhall be chofen to be associate in judgment to the mayor and conftables. And fix mediators of queftions between buyers and fellers fhall be chofen.*

Two merchants aliens fhall be chofen to be associate in judgment to the mayor

**I**TEM, we will and ordain, That the merchants ftangers fhall chufe two merchants ftangers, whereof the one towards the fouth, and the other towards the north, fhall be affigned to fit with the mayor and conftables of the ftaples where fome of thofe perfons chofen fhall come, to hear the complaints touching

touching merchants aliens that shall be moved before the said mayor and constables at all times that any of the said persons chosen will be there, and to see that plain right be done to the said merchants aliens, so that the said mayor and constables shall not cease to proceed in their proces, in case that those persons chosen come not thither: (2) And in case that debate arise betwixt them, upon the discussing of any plea or quarrel: the tenour of the same plea or quarrel shall be sent before the chancellor, and other of our council, to be determined there without delay. (3) And also six persons shall be chosen, that is to say, four aliens, whereof two shall be of *Almaigne*, and two of *Lombardy*, and two of *England*, which shall be discreet men, and worthy of faith, and shall swear, that they shall well and lawfully execute their office, that is to say, that when and at what time any question or debate shall rise or come amongst merchants of any unreasonable wool, or undue packing according to the covenants made betwixt the sellers and the buyers, that the said persons, or four of them, may before the mayor of the staple and the officers, by their oath say and amend as reason will, and thereupon credence shall be given to them without any contradiction.

and constable of the staple.

Matters in question in the staple shall be decided by the chancellor and the King's council. There shall be six mediators of question choien. Staple.

## CAP. XXV.

*It shall be felony to make any conspiracy which may return to the disturbance of the staple.*

ITEM, we have ordained and established, That no merchant or other shall make confederacy, conspiracy, covin, imagination, or murmur, or evil device in any point, that may turn to the impeachment, disturbance, defeating, or decay of the said staples, or of any thing that to them pertaineth or may pertain: (2) and if any do, and thereof be attainted before the mayor and ministers of the staple, or other whom we shall thereto assign, he shall incur the pains and forfeitures contained in the said third article.

It shall be felony to make any confederacy or conspiracy which may turn to the disturbance or the defeating of the staple.

## CAP. XXVI.

*Credit shall be given to letters, or the merchants oaths, of the value of their goods.*

ITEM, Whereas it is contained in the charter of our grandfather, granted to the merchants strangers, and by us confirmed, that of merchandises which they shall bring into our said realm and land, and whereof three pence of the pound ought to be paid by the said merchants strangers, according to the same grant, faith and credence shall be given to them upon the value of the said merchandises by letters, which they may shew of the same goods of their lords and companions. (2) And if they have no letters, they shall be believed by their oath in this behalf. (3) And now of late it is done us and our council to understand by the complaint of the said merchants, that albeit they have letters testifying the value of their merchandises, the

Credit shall be given to letters brought by merchants aliens, or to their oaths, of the value of their goods.



the fheriffs, mayors, bailiffs, and minifters of many places do conftrein them to fwear for the faid merchandifes, againft the form of their faid charter, and nevertheless after the oath made, unfeal their barrells, fardels and bales, for which they have taken their oath, and the fame let lie four or fix days fo unfealed before they will fee the fame, and fo they take away from the faid merchants the fale of their goods, to their great damage.

(4) We not willing that the merchants ftrangers that come with their merchandifes into our faid realm and lands, for the common profit of the fame, fhall be in fuch manner griev'd, will, grant and eftablifh, That the faid charter be holden, and that the barrells, fardels, and bales, and the other goods of the faid merchants, for which they have fhewed their letters that be not fufpicious, or taken the oath as it is contained in the fame charter, prefently after the oath taken, or fuch letters fhewed, their goods fhall be delivered to them without delay, thereof to make their profit, without any thing taking of them over the custom of three pence of the pound; (5) fo that the fheriffs, mayors, bailiffs, or other minifters, fhall meddle no more of the fame goods, upon pain of imprifonment, and to pay to the party griev'd by this caufe his quatreble damages, and as much to us; and upon the fame, right fhall be done in our chancery at every man's complaint.

#### C A P. XXVII.

*The forfeiture of thofe which before this ftatute have tranfported their wools, &c.*

The forfeiture of thofe which before this ftatute did tranfport wool, &c.

**I**TEM, we have ordained and eftablifhed, That all thofe that fhall be convict that they have carried wools, leather, and woollfells to the parts beyond the fea, againft the defence and proclamation thereof made before the making of this ordinance, fhall be judged to prifon, and incur the forfeiture of the fame wools, leather, and woollfells fo paffed, and of all their other goods and chattels, and moreover be ranfomed at our will.

#### C A P. XXVIII.

*The liberties of the ftaple confirmed, notwithstanding the franchises of others; but in fairs, markets, hundreds, leets, &c.*

The liberties of the ftaple confirmed notwithstanding franchises granted to corporate cities or towns.

**I**TEM, we will, grant and ordain, That all the faid things be firmly kept and holden in all points, notwithstanding franchise, custom, privilege, exemption, judgments, or other grants made to cities, boroughs, towns, commonalties, people of the five ports, and other ports, or any other fingular perfons whatfoever. (2) And in cafe that any thing be to be amended, added, changed, or withdrawn of any of the faid points in time to come for a true caufe, we will, that the fame be done by deliberation and advice of the great men and other of our council in the parliament: (3) faving in other things to the prelates, dukes, earls, barons, and other lords, their fairs, markets, hundreds, wapentakes, leets, jurisdictions, courts, franchises, and privi-

Other men's liberties being in the ftaple faved.

privileges, and all other things to them pertaining in the places where the ſtaples be, and ſhall be, and elſewhere, as far forth as they had them before that the ſtaples were ordained.

## C A P. XXIX.

*The ordinance of the ſeveral fees of the mayors and conſtables of the ſtaple, in every city and town where the ſtaple is ordained to be kept, and by what means the ſame ſhall be levied.*

**F**Orasmuch as the ſtaple is now of late ordained to abide perpetually Exedit. Raſtal. in England, and at the beginning there was no evidence in certain, by which a man might aſſign or limit in certain that, that the mayors and conſtables in the places, where the ſtaples be ordained, ought to take by year in certain for their travail; but it was then aſſented by the lords and commons, That of every ſack ſhould be levied, eight pence for the firſt year, and delivered to the ſaid mayor and conſtables in the places where the ſaid ſtaples be aſſigned, which firſt year paſſed out at the gule of Auguſt laſt paſt. And now cometh as much wools, or well nigh as much, to the port of London, as do in all the other ſtaples through the realm, and to ſome of the other ſtaples cometh as much of wools, as to two or three of the other ſtaples, ſo that to one ſtaple cometh more, and to another leſs, ſo that the mayor and conſtables of ſome places take too much, and in other places too little, and the people be very much charged to pay eight pence of a ſack (as afore is ſaid) having regard to the ſum of the wools that paſſeth over the ſea. And all the time that the ſaid ſtaple was abiding beyond the ſea, he that is choſen mayor by the merchants of England, did take a certain by the year. And alſo it were reaſon that it ſhould be ſo in England: and that in a reaſonable manner, every man according to his travail, and that the people ſhould not be ſo much charged: Wherefore it is ordained by the King and the great men, and by the advice of all the council, That no more ſhall be levied of a ſack but four pence in no Fees for officers of the ſtaple. part from the gule of Auguſt laſt paſt hitherto, nor from henceforth. And that the four pence of the ſack in every place where the ſtaple is, ſhall be put in a box, and ſealed with the ſeals of the mayor and conſtables, to the intent that the ſaid mayor and conſtables may be thereof paid of their certain, that they ſhall take. And if at the end of the year, more be found in the box, than the fees of the ſaid mayor and conſtables ſhall amount unto, it ſhall be ſafely kept, to pay and perform the fees of the mayors and conſtables in other ſtaples, where the iiii. d. will not thereto ſuffice. And if any thing remain in the ſaid boxes, after the fees paid, the ſame ſum residue ſhall be ſaved to the common profit of the merchants of the ſtaple for the year to come, and for to pay for the weights made of new, and alſo for payments and other things neceſſary touching the ſtaple. And as much as is levied in all the places, where the ſtaples be, over the ſaid ſum of iiii. d. of the ſack, after the ſaid gule of Auguſt laſt paſt, ſhall be rebailed and reſtored to the uſes aforeſaid. And the fees of the mayor and conſtables be ordained and limited

limited in the form as followeth, that is to say, the mayor of the staple of *Westminster* shall take C. li. and every of the constables there ten marks. The mayor of *York*, *Kingston upon Hull*, *Norwich*, and *Winchester*, every of them xx. li. and every of the constables of the said places a C. s. the mayor of *Newcastle upon Tyne*, *Chichester*, and of *Exeter* x. li. and every of the constables of those places, five marks. And if any of the mayors and constables above-named, refuse the office, he shall pay to the company as much as his fee shall amount to. *And proclamation of the same was made through England the sixth day, &c.*

Statutes made at *Westminster*, Anno 28 EDW. III.  
and Anno Dom. 1354.

**O**UR lord the King, at his parliament holden at Westminster, the Monday next after the feast of St. Mark the evangelist, the year of his reign of England the eighth and twentieth, and of France the fiftenth, to the honour of GOD and of holy church, and for the common profit of him and his people, by the assent of the prelates, the princes, dukes, earls, barons, and the commons of this realm there assembled, hath ordained and established the points underwritten.

**N**OSTRE feignur le Roi a son parlement tenuz a Weymonster le Lundy prochein apres la feste de saint Marc lewangelist lan de son regne dEngleterre vint & oetisme & de France quinzisme a lonour de Dieu & de seinte eglise & pur commune profit de lui & de son poeple de lassent dez prelatz princes ducs contes barons & la communalte de son roialme illoeges assemblez ad ordene & establi les points souzscriptz.

CAP. I.

*A confirmation of all statutes before made and used.*

A confirma-  
tion of former  
statutes.

**F**IRST, That the Great Charter, and the Charter of the Forest, and all other statutes before this time made and used, be kept and maintained in all points,

**P**Remerement qe la grant chartre & la chartre de la foreste & touz autres estatutz avant ces heures faitz & usez soient gardez & meintenuz en touz pointz.

CAP. II.

*Lords of the marches of Wales shall be attendant to the crown of England, and not to the principality of Wales.*

Lords of the  
marches shall  
be attendant  
on the crown  
of England,  
and not to the  
principality of  
Wales.

**I**TEM it is accorded and established, That all the lords of the marches of *Wales* shall be perpetually attending and annexed to the crown of *England*, as they and their ancestors have been all times past, and

**I**TEM acorde est & establi qe touz les feignurs de la marche de Gales soient perpetuellement entendantz & annexes a la corone dEngleterre come ils & leur auncestres ount este de tout temps avant ces heures

eures & noun pas a la prin-  
palte de Gales en qi mains qe  
seisme la principalte foit ou  
evendra après ses heures.

and not to the principality of  
*Wales*, in whose hands soever  
the same principality be, or  
hereafter shall come.

## CAP. III.

*No person shall be condemned without his answer.*

ITEM qe nul homme de  
quel estate ou condition qil  
it ne soit oste de terre ne de  
nement ne pris nempriſone  
e desherite ne mis a la mort  
unz estre mesne en respons  
ir due procès de lei.

ITEM, That no man of  
what estate or condition that  
he be, shall be put out of land  
or tenement, nor taken nor  
imprisoned, nor disinherited,  
nor put to death, without being  
brought in answer by due pro-  
cesses of the law.

No man shall  
be condemned  
without his  
answer.  
9 H. 3. stat. 1.  
c. 29.  
5 Ed. 3. c. 9.  
25 Ed. 3. stat. 5.  
c. 4.  
16 Car. 1. c. 10.

## CAP. IV.

*How the King shall be answered the mesne rates of lands  
coming to him by his tenant's death.*

ITEM, because that escheators and other the King's mi-  
nisters, which have made livery by the King's command-  
ment from his chancery, of the lands and tenements, that  
ere taken into the King's hands by the death of the tenants,  
which held of him, and the heirs and other, to whom the said  
lands and tenements ought to descend, revert, or remain, have  
been charged in the exchequer of the fermes and the rents where-  
of the terms of payments were to come after such livery made,  
that the rate and portion of the time that the same lands and  
tenements were in the King's hands: it is accorded and esta-  
blished, That of manors, cities, boroughs, towns, hundreds,  
parishes, and all other lands and tenements, whereof profit  
shall rise from time to time through the year, as of mills, herb-  
age, toll, pleas, and profits of courts, and all such issues and  
profits, every escheator and other minister, which hath seized  
such lands and tenements to the King's use, shall be bound to  
answer to the King for the rate and portion of the time, accord-  
ing to the old course of the exchequer. And that of ancient  
fermes and rents, which be to be paid at certain terms, as rent  
in kind, and rent service, whereof no profit riseth till the day of  
payment, such fermes and rents shall be paid to them, which  
have livery out of the King's hands, at the terms of payments  
of the said fermes and rents, which followeth after such livery  
made, as well of the time past, as of the time to come.

How the King  
shall be satis-  
fied of the  
mean rates of  
those lands  
which come to  
his hands by  
the death of  
his tenants.

12 Car. 2. c. 24.

## CAP. V.

*No iron shall be carried forth of the realm.*

ITEM acorde est & establi  
qe seer fait en Engleterre &  
er mesne en Engleterre &  
beques vendu ne soit mesne  
VOL. II. hors

ITEM, it is accorded and  
established, That iron made  
in *England*, and iron brought  
into *England*, and there sold,  
H shall

By 5 & 6 W.  
& M. c. 17.  
Iron may be  
freely export-  
ed.

shall not be carried out of the said realm of *England*, upon pain of forfeiting the double to the King; (2) and the justices assigned to enquire of labourers, and the other justices whom the King will thereto assign, shall have power to enquire of them that sell the iron at too dear a price, and to punish them after the quantity of the trespass.

The penalty for transport-  
ing of iron.

hors du roialme d'Engleterre sur peine de forfaire le double devers le Roi & eient les justices assignez denquere de labourers & autres justices queux le Roi vodra a ce assigner poer denquere de ceux qi vendent le feer a trop cher pris & de les punir solonc la quantite de trespas.

## C A P. VI.

*Who shall be coroners, and by whom and where they shall be chosen.*

Who shall be coroners, and where they shall be chosen.

**I**TEM, it is ordained and accorded, That all coroners of the counties shall be chosen in the full counties, by the commons of the same counties, of the most meet and most lawful people that shall be found in the said counties to execute the said office; (2) saved always to the King and other lords which ought to make such coroners, their seignories and franchises.

3 Ed. 1. c. 10.  
Rast. 133.

**I**TEM ordene est & establi que touz coroners des countees soient esluz en pleins countees par les communes de meismes les countees de plus convenables & plus loialx gentz que ferront trevez es ditz countees affaire le dit office save totes foitz au Roi & as autres seignurs que tieux coroners deivent faire leur seignories & franchises.

## C A P. VII.

*No sheriff shall continue in his office above one year.*

No sheriff shall continue in his office above one year.

**I**TEM, it is ordained and established, That the sheriffs of the counties shall be removed every year out of their offices, so that no sheriff that hath been in his office by a year shall abide in the same office the year next following; and that no commission be made to him thereof, or renewed for the same year following.

14 Ed. 3. stat. 1.  
c. 7.  
42 Ed. 3. c. 9.  
23 H. 6. c. 8.

**I**TEM ordene est & establi que les viscontes des countees soient remuez chescun an hors de leur offices issint que nul viscont qad este en son office par un an demoege en meisme l'office lan preschein ensuant & que nulle commission lui ent soit faite ou renewee pur meisme lan suent.

## C A P. VIII.

*An attaint shall be granted as well upon a bill as upon a writ of trespass.*

An attaint shall be granted as well upon a bill as upon a writ of trespass.

**I**TEM, it is accorded, That the writ of attaint shall be granted from henceforth as well

**I**TEM acorde est & establi que brief datteint soit grante desore sibien sur bille de trespas come

come fur brief de trespas des enquestes qe font a prendre en temps avenir saunz avoir regard au quantite des damages.

well upon a bill of trespas, as upon a writ of trespas, of inquests which be to be taken in time to come without having regard to the quantity of the damages. 3 Ed. 1. c. 38. 1 Ed. 3. stat. 1. c. 6. 5 Ed. 3. c. 6, 7. 34 Ed. 3. c. 7. Rast. 34, &c.

CAP. IX.

No writ shall be directed to a sberiff to charge an inquest to indict any.

ITEM pur ce qe le poeple du roialme ad suffert plusieurs malx & meschiefs de ce qe viscontes de diverses contees par vertue des commissions & briefs generals a eux grantez a leur seute demefne pur leur singular profit de gagner du poeple ount fait & pris diverses enquestes de faire enditer les gentz a leur volunte & ount pris fins & rançons de eux a leur oeps demefne & les ount delivres saunz ce qe tieux enditez feussent meinez devant les justices le Roi pur leur deliverance avoir acorde est & establi pur tieux malx & meschiefs escheure qe touz tieux commissions & briefs avant ces heures faitz soient outrement repellez & qe defore nulles tieux commissions ne briefs soient grantez.

ITEM, because the people of the realm have suffered many evils and mischiefs, for that sberiffs of divers counties, by virtue of commissions and general writs granted to them at their own suit for their singular profit to gain of the people, have made and taken divers inquests to cause to indict the people at their will, and have taken fine and ransom of them to their own use, and have delivered them, whereas such persons indicted were not brought before the King's justices to have their deliverance; (2) it is accorded and established, for to eschew all such evils and mischiefs that all such commissions and writs before this time made, shall be utterly repealed, and That from henceforth no such commissions nor writs shall be granted.

No writ shall be directed to the sberiff to charge a jury to indict any.

Cro. El. 371;

CAP. X.

The penalty of the mayor, sberiffs, &c. of London, if they do not redress errors and misprisions there; and in what counties the trial thereof shall be.

ITEM pur ce qe les erreurs defautes & mesprisions qe ont notoirement usez en la cite de Londres pur defaute de none government du meire des viscontes & des aldermans ne verront estre enquis ne trevez par gentz de meisme la cite ordene est & establi qe les ditz meire viscontes & aldermans qe ount le gouvernement de la dite cite facent redrescer &

ITEM, because that the errors, defaults, and misprisions which be notoriously used in the city of London for default of good governance of the mayor, of the sberiffs, and the aldermen, cannot be enquired nor found by people of the same city; (2) it is ordained and established, That the said mayor, sberiffs, and aldermen, which have the governance of the same city, shall

The penalty of the mayor, sberiffs, &c. of London, which do not redress errors and misprisions there.

cause to be redressed and corrected the defaults, errors, and misprisions above named, and the same duly punish from time to time upon a certain pain: that is to say, at the first default a thousand marks to the King, and at the second default two thousand marks, and at the third default that the franchise and liberty of the city be taken into the King's hand. (3) And be it begun to enquire upon them at St. Michael next coming, so that if they do not cause to be made due redress as afore is said, it shall be enquired of their defaults by inquests of people of foreign counties, that is to say, of Kent, Essex, Sussex, Hertford, Buckingham, and Berks, as well at the King's suit as others that will complain.

II. And if the mayors, sheriffs and aldermen be by such inquests thereto assigned, indicted, they shall be caused to come by due process before the King's justices, which shall be to the same assigned out of the said city, before whom they shall have their answer, as well to the King as to the party. (2) And if they put them in inquests, the same inquests shall be taken by foreign people, as afore is said. (3) And if they be attainted, the said pain shall incur and be levied of the said mayor, sheriffs, and aldermen, for default of their governance; (4) and nevertheless the plaintiffs shall recover the treble damages against the said mayor, sheriffs, and aldermen. (5) And because that the sheriffs of London be parties to this business, the constable of the Tower, or his lieutenant, shall serve in the place

corriger les defautes erreurs & mesprisions susnommez & les dueiment punir de temps en temps sur certaine peine cest assavoir au primer default mille marcs au Roi & a la seconde default deux mille marcs & a la tierce default que la franchise de la cite soit pris en la main le Roi. Et soit comence denquer sur eux a la saint Miche profchein avenir issint que s'ils ne facent dues redrescements come defus est dit soit enquis de leur defautes par enquestes de gentz de foreins contees cest assavoir de Kent Essex Suffex Hertford' Buck' & Berksibien a la seute le Roi come d'autres qi pleindre se vodront.

Et si les meire viscontes & aldermans soient par tieux enquestez enditez soient faitz venir par due proces devant les justices le Roi qi serront a ce assignez dehors la dite cite devant queux ils eient leur respons sibi en au Roi come a la partie. Et s'ils se mettent en enquestes soient celles enquestes pris par gentz foreins come defus est dit. Et s'ils soient atteints soit la dite peine encourru & leve des ditz meire viscontes & aldermans pur defaute de leur gouvernement & nientmains les pleintifs recoverent leur damages au treble vers les ditz meire viscontes & aldermans. Et par cause que les viscontes de Londres sont parties a ceste busoigne soit le constable de la tour ou son lieutenant ministre en lieu des viscontes a recevoir les briefs sibi en originaux de la chancellerie come judiciaux souz les seals des justices affaire ent execution en la dite cite. Et soit proces fait par attachementz & par destresces & par execution

The trial of the defaults of the mayor, &c. of London, touching government shall be by inquest of foreign counties.

The constable or lieutenant of the Tower shall receive and execute the King's writs.

of

gend

rende si mestiere soit issint que la seute le Roi soit lexigende garde apres le primer capias etourne & a le tierce capias etourne a seute de partie. Et les meire viscontz & aldermans eient terres ou tenemenz dehors la cite soit proces ait devers eux par attachementz & destrefces en meistes les contees ou les terres tenemenz font. Et qe cheun des ditz meire viscontz & aldermans qe vendra devant les dites justices respoigne finalement pur lui meismes bien au peril des autres qi sont absentz come de lui meismes. Et ceste ordenance foint tenue ferme & estable nient contrecant franchise privilege ou custumes queconques. Et se tend ceste ordenance as autres citees & burghs du royaume ou tieux defautes & mesmes font usez & nemiement corrigez ne redrefcez que les enquestes soient prises par gents foreins de meisme le contee ou tieles citees & burghs font et qe la fine de ceux des citees burghs & villes qe de ce serent atteintz soit ajugge par discretion des justices qe a ce serent assignez,

quests shall be taken by foreign people of the same county where such cities or boroughs be: (11) and that the pain of those of the said boroughs and towns, which shall be thereof attainted, shall be judged by the discretion of the justices which shall be thereto assigned.

## CAP. XI.

*Resh suit and buy and cry shall be made after robbers from country to country.*

ITEM pur ce qe grant clamour & grevouses plaines sont faitz si bien par aliens come par denzeins qe marchantz & autres passantz par mi

of the sheriffs, to receive the writs, as well originals of the chancery as judicials, under the seal of the justices, to do thereof execution in the said city. (6) And process shall be made by attachment and distresses, and by exigent, if need be; so that at the King's suit the exigent shall be awarded after the first *capias* returned, and at the third *capias* returned at the suit of the party. (7) and if the mayor, sheriffs, and aldermen have lands or tenements out of the city, process shall be made against them by attachments and distresses in the same counties where the lands or tenements be. (8) And that every of the said mayors, sheriffs, and aldermen which do appear before the said justices, shall answer particularly for himself, as well at the peril of other which be absent, as of himself. (9) And this ordinance shall be holden firm and stable notwithstanding any manner of franchise, privileges, or customs. (10)

And this ordinance shall extend to all cities and boroughs of the realm, where such defaults or misprisions be used, and not duly corrected nor redressed; saving that the in-

What process shall be awarded in this suit.

This ordinance provided for London shall extend to all cities and boroughs.

31 Ed. 3. stat. 1.

c. 10.

17 R. 2 c. 12.

1 H. 4. c. 15.

ITEM, because that great clamour and grievous complaints be made, as well by aliens as by denzeins, that merchants and other passing through the realm



of England with their merchandises and other goods, be slain and robbed, and namely now more than they were want, whereof remedy hath not been made to the complainants; (2) our lord the King, considering the profit which may come to the said realm by coming and abiding of the said merchants aliens in the same realm, and the damage and mischief which to them and other is done daily by such manslaughteres and robberies, and willing to provide for the surety and indemnity of merchants and other aforesaid, hath ordained and established, by the assent of all his parliament, to the intent that merchants aliens shall have the greater will and courage to come into the said realm of *England*, and that remedy from henceforth be speedily made to such merchants and other robbed, according to the form contained in the statute late made at *Winchester*; that is to say, that solemn cry be made in all counties, hundreds, markets, fairs, and all other places where solemn assembly of the people shall be, so that none by ignorance shall excuse him, that every country from henceforth be so kept, that immediately after felonies and robberies done, fresh suit be made from town to town, and from country to country, (3) and inquest, if need be, shall be also taken in the towns by him which is sovereign of the town, and after in hundreds, franchises, and in the county, and sometime in two, three, or four counties, in case when felonies shall be done in the marches of the counties, so that the offenders may be attainted

mi le roialme d'Engleterre od leur marchandises & autres biens sont tuez & derobbez & nicement ore plus quils ne soleient dount remedie nad este fait as compleignantz nostre seignur le Roi considerant le profit qe purra avenir au dit roialme par venue & demore des marchantz aliens en meisme le roialme & les damages & meschiefs qe a eux & autres sont faitz de jour en autre par tieux homicides & roberies & veullant purvoire a la seurte & indemnite des marchantz & autres susditz ad ordene & establi par assent de tout son parlement au fin qe marchantz aliens eient greindre volunte & corage de venir en le dit roialme d'Engleterre qe remedie soit desore fait hastivement as tieux marchantz & autres issint derobbez solonc la forme contenue en lestatut nadgairs fait a Wyncestre cest assavoir qe solempnement crie soit fait en toutz contees hundredes marchees feires & toutz autres lieux ou solempne assemblee de gentz serra issint qe nul par ignorance se pousse excuser qe chescune pais issint desoremes soit garde qe maintenant apres robberies & felonies faites soit fait freshe seute de ville en ville & de pais en pais & enquestes soient auxint si mestiere soit prises en villes par celui qe est sovereign de la ville & puis en hundredes franchises & en contees & ascune foitz en deux trois ou quatre contees en cas quant felonies serront faites en marches des contes. Issint qe messours pussent estre atteintz. Et si le pais de tieu manere de messours ne respoigne la peine serra tiele qe chescune pais cest assavoir gentz en pais de-

3 Ed. 1. c. 9.  
 23 Ed. 1. stat. 2.  
 c. 7, 2.  
 Hue and cry shall be levied, and fresh suit shall be made after robbers from town to town, and from country to country.

emorantz respoignent des  
 abberies faites & des da-  
 mages issint qe tout le hun-  
 dred ou la robbrie serra faite  
 ve les franchises qe sont  
 deinz la purceinte de meisme  
 hundred respoignent de la  
 robbrie faite & si la robbrie  
 est faite en divises de deux  
 hundredes respoignent ambe-  
 ux les hundredes ensemble-  
 ent od les franchises. Et  
 us long terme navera le pais  
 res la robbrie faite ou felo-  
 ne qe quarant jours deinz les  
 lieux il covient qils facent  
 de la robbrie ou del mes-  
 mes ou qils respoignent des  
 crimes de meffessours.

tainted. (4) And if the coun-  
 try do not answer of such offen-  
 ders, the pain shall be such,  
 that every country, that is to  
 say, the people dwelling in the  
 country, shall answer of the  
 robberies done, and of the da-  
 mages; (5) so that all the  
 hundred where the robbery  
 shall be done, or the franchises  
 which be within the precinct  
 of the same hundred, shall an-  
 swer of the robbery done; (6)  
 and if the robbery be done in  
 the division of two hundreds,  
 both hundreds shall answer to-  
 gether with the franchises. (7)  
 And longer term shall not the  
 country have after the robbery  
 or felony done, than forty

The penalty  
 of the coun-  
 try, if robbers  
 offending  
 therein be not  
 taken within  
 forty days.

days, within which them behoveth to make gree of the robbery, or of the offence, or that they answer of the bodies of 27 El.c.13.  
 the offenders,

### CAP. XII.

*Within what time purveyances made for the King's house shall be paid for.*

ITEM, for that the mean people of the realm, and divers  
 others have complained of the grievances done to them, be-  
 cause the purveyors of our lord the King, the Queen, and  
 the Prince, and of other, have taken of them their goods,  
 wares and victuals, and thereof have delivered them tallies,  
 signing to them a day and place to receive their payment at  
 certain places and far off, where they dispended the value of  
 the thing so taken of them, or the double, before that they  
 have received their payment, and oftentimes have failed of all :  
 the King willing to provide a remedy against such grievances,  
 hath ordained and established, for the quietness and ease of his  
 people, that of all purveyances which be or shall be made to  
 him, or to any others use, within the sum of twenty shillings,  
 payment shall be thereof made incontinently upon the purvey-  
 ances made without delivering any tally for any day or place  
 where to be thereof assigned. (3) And that of other pur-  
 veyances made to the sum of twenty shillings and above, pay-  
 ment shall be made within a quarter of a year then next fol-  
 lowing after such purveyances made, at certain days and places,  
 according as it may be most for the ease and less travel of the  
 people.

20.H.4.c.14.  
 20.H.6.c.8.  
 12.Car.2.c.24.

Purveyances  
 made to the  
 King's use  
 under xx s.  
 shall be pre-  
 sently paid  
 for, and all  
 above within  
 a quarter of a  
 year.

## CAP. XIII.

*The warranty of packing of wool shall be put out. An inquest shall be de Medietate Linguarum, where an alien is party.*

27 Ed. 3. stat. 2.  
c. 3.

**I**TEM, it is accorded and established, That all the ordinances made in the great council holden at *Westminster*, the *Monday* next after the feast of saint *Matthew* the apostle last past, together with certain declarations and additions made in this present parliament, be firmly kept and holden for a statute to endure for ever, which declarations and additions do follow in this manner: (2) *Whereas it is contained in the said ordinances, That every merchant that selleth his wools at the staple, shall be bound to warrant the packing of the same wools; (3) and if a plea of debate be moved before the mayor of the staple, betwixt the merchants or ministers of the same, and thereupon to try the truth thereof an inquest or proof shall be taken, then if both parties be aliens, it shall be tried by aliens; (4) and if both parties be denizens, it shall be tried by denizens; (5) but if the one party be denizen and the other alien, half of the inquest or of the proof shall be of denizens, and the other half of aliens. (6) And also that no merchant, privy nor stranger, nor other of what condition that he be, shall go by land nor by water to meet such ships charged with wines, wares, or other merchandises coming into the realm of England, nor other lands of the King's in the sea, or elsewhere, for to forestall, buy, or in other manner giving them earnest before that they come to the staple or to the port where they shall be*

**E**Nsement acorde est & establi que totes les ordenances faites en grant conseil tenuz a *Westmonstre* le *Lundy* prochein apres la feste de saint *Matheu* l'apostle darrein passe ensemblement ove aucunes declarations & adjoustances faites en ceste present parlement soient fermement gardez & tenuz pur estatut a durer a touz jours queles declarations & adjoustances sensuent en ceste manere come contenue soit en les dites ordenances que chescun marchant que vend ses leines a le staple soit tenuz de garantir lempakkure de meismes les leines et que si ple ou debate soit meu devant le meire de le staple entre les marchantz ou ministres dycelle & sur ce pur trier ent la verite enqueste ou proeve soit apprendre si lune partie et lautre soit estrange soit trie par estranges & si lune partie & lautre soit denzin soit trie par denzeins & si lune partie soit denzeine & lautre aliene soit lune moite del enqueste ou del prove de denzeins & lautre moite des aliens. Et aussint que nul marchant prive ne estrange nautre de quele condition qil soit aille par terre ne par ewe dencontrer vins merces nautres merchandises venantz en la roialme d'Engleterre nen autres terres du Roi en meer naillours pur les forstaller acheter ou en autre manere arrer avant qils viegnent a le staple ou au port ou ils ferront dischargez ne entre les niefs pur tiele cause tance

que les marchandises soient  
 mises a la terre pur vendre  
 corde est & establi qe la gar-  
 antie dempakkure de laines  
 ou diverses meschiefs qe la  
 communalte en ad sentu soit  
 tout ouste & qe nul homme  
 n'ait tenuz affaire tiele garantie  
 ne soit par covenant taille  
 ou fait ensele. Et aussint qe  
 nul homme autre qe marchand  
 denzein ou alien qe ne conust  
 les leis & usages de lestaple  
 ne par aillours devant qe les  
 ordonances de lestaple  
 soient faites soit chargee par  
 meismes les leis & usages tanqe  
 les soient declarrez en parlem-  
 ent.

Et qe en tote manere den-  
 questes & proeves qe sont a  
 prendre ou affaire entre aliens  
 & denzeins soient ils mar-  
 chantz ou autres sibien devant  
 le meire de lestaple come de-  
 vant queconque autres juges  
 ou ministres tout soit le Roi  
 partie soit la moite del enquest  
 ou del prove de denzeins & lau-  
 tre moite des aliens si tanz  
 des aliens soient en la ville ou  
 lieu ou tiele enqueste ou prove  
 soit apprendre qe ne soient  
 partie parties ne od les parties  
 en contractes ples ou autres  
 querelles dount tieles enquestes  
 ou proves deivent estre pris &  
 si tanz des aliens ne y soient  
 point adonques soient mis en  
 lieux enquestes & proeves  
 tanz des aliens come ferront  
 trovez en meismes les villes ou  
 lieux qe a ce ne soient pas  
 parties ne od les parties come  
 devant est dit & le remanant  
 de denzeins qe soient prodes  
 hommes & nient suspecionou-  
 les a l'une partie ne a lautre.

Et qe nulle maniere de nief  
 qe soit frette devers Engleterre  
 ou aillours soit arête de venir

*discharged, nor enter the ships  
 for such cause till the merchan-  
 dises be set to land for to sell: (7)*

It is accorded and established,  
 That the warranty of packing  
 of wools, for divers mischiefs  
 which the commons have there-  
 of perceived, shall wholly be out;  
 (8) and that no man be holden  
 to make such warranty, un-  
 less it be by covenant made by  
 deed ensealed. (9) Also that  
 no man other than a merchant  
 denizen or alien, that know-  
 eth the laws and usages of the  
 staple, used before that the  
 said ordinances of the staple  
 were made, shall be charged  
 by the same laws and usages  
 till they be declared in parla-  
 ment.

II. And that in all manner  
 of inquests and proofs which  
 be to be taken or made amongst  
 aliens and denizens, be they  
 merchants or other, as well be-  
 fore the mayor of the staple as  
 before any other justices or  
 ministers although the King  
 be party, the one half of the  
 inquest or proof shall be deni-  
 zens, and the other half of a-  
 liens, if so many aliens and  
 foreigners be in the town or  
 place where such inquest or  
 proof is to be taken, that be  
 not parties, nor with the par-  
 ties in contracts, pleas, or other  
 quarrels, whereof such inquests  
 or proofs ought to be taken;  
 (2) and if there be not so ma-  
 ny aliens, then shall there be  
 put in such inquests or proofs  
 as many aliens as shall be found  
 in the same towns or places  
 which be not thereto parties,  
 nor with the parties, as afore  
 is said, and the remnant of deni-  
 zens, which be good men,  
 and not suspicious to the one  
 party nor to the other.

The warranty  
 of packing of  
 wools shall be  
 wholly put  
 out.

27 Ed. 3. stat. 2.  
 c. 8.

An inquest  
 shall be de Me-  
 dietate Lin-  
 guntæ, where an  
 alien is party  
 to any trial.

8 H. 6. c. 29.  
 27 Ed. 3. stat. 2.  
 c. 8.

Dyer, 144.  
 Bro. denizen,  
 4, 12.

None shall forestal merchandises coming towards this realm.

III. And that no manner of ship, which is fraught towards *England* or elsewhere, be compelled to come to any port of *England*, nor here to abide, against the will of the masters and mariners of the same, or of the merchants whose the goods be: (2) and if such ships come of their own good will, or be driven by tempests, or other misfortune or mischief, to any port in *England*, and the masters, mariners, or merchants of the same ships will sell or deliver part of their merchandises with their good will, it shall be lawful for every man to buy such merchandises freely without impeachment in the port where such ships shall come, albeit the said merchandises be not put to land to sell; (3) so always, that no merchant nor other shall go by land nor by water to meet such ships charged with merchandises, to forestal the same merchandises, or to give them earnest by way of forestalling, upon the pains contained in the third article of the said ordinances; (4) so that the masters, mariners, and merchants, after that they have sold that which pleaseth them of their said goods, and paid thereof the custom, may freely depart, and go with their ships and all the remnant of their goods whither it shall please them, without custom thereof to be paid: (5) and that none, of what condition that he be, by art or engine, shall disturb any ship charged with merchandises to come to any port of *England*, but to the port where the masters, mariners, and merchants, will first of their free will arrive; nor, after

a nul port dEngleterre ne demorer contre le gre des mestres & mariners dycelle ou de marchantz as queux les biens sont & si tieux niefs viennent de gre ou soient chacez par tempest ou autre infortune meschief a aucun port dEngleterre & les mestres mariners ou marchantz de meismes niefs veullent vendre & delever partie de leur merchandises par leur bone volunté bienlise a chescun tyeles merchandises achater franchement sanz empeschement en le port ou tieles niefs vendront tout ne soient les merchandises mesmes a la terre pur vendre issint totés soitz que nul marchand nautre ne voise par terre ne par ewe dencontrer tieles niefs chargez de merchandises de forestaller meismes les merchandises ou de les arrer par voie de forestallerie sur les peines contenues en le tierce article des dites ordenances Si que les mestres mariners & marchantz apres ce qils averont issint vendu ce que leur plerra de leur ditz biens & paie ent la custume puissent franchement departir & aler ove leur niefs & tout le remnant de leur biens par la ou leur plerra sanz custume ent paier & que nul de quele condition qil soit par art ne par engyn ne face ne mette destourbance a nulle nief chargée de marchandise de venir a nul port dEngleterre forsque au port ou les mestres mariners & marchantz veullent premerement de gre arriver ne apres ce qils seront arrivez se melle de la vente de meismes les merchandises ne ne destourbe les marchantz ne leur servantz qils ne pussent meismes par leur mains propres solonc ce

No foreigners ships shall be compelled to arrive in *England*, or to tarry there.  
20R.2.c.4

meultz leur semblera pur  
 or profit demesne vendre &  
 liverer leur marchandises a  
 ele heure & as queux qe  
 eultz leur plerra & si nul y  
 ette destourbanse encourage  
 of forfaiture devers le Roi  
 onc la quantite du trespass.

after they have arrived, shall  
 meddle with the sale of the  
 same merchandises, nor disturb  
 the merchants nor their ser-  
 vants, that they may not them-  
 selves by their own hands, ac-  
 cording as to them best shall  
 seem for their profit, sell and  
 deliver their merchandises at

at time and to whom it shall them best please; (6) and if any  
 disturbance, he shall incur a grievous forfeiture to the King  
 according to the quantity of the trespass.

## CAP. XIV.

*Upon which days wool may be shewed in the staple, and in  
 which not.*

TEM, it is accorded and established, That shewing of wools Ex. edit. Raff.  
Wools staple.  
 shall be made at the staple every day of the week, except  
 the Sunday and solemn feasts of the year. And that no shew-  
 ing nor sale of wools be made within three miles about the sta-  
 ple, but only at the staple, upon the pain contained in the third  
 title of the ordinance of the staple. *Saving always that every  
 lord and other man than a merchant, may freely lodge, shew and sell  
 his wools, which be of his own growing, in his own house or other  
 place where pleaseth him.*

## CAP. XV.

*The bounds of every staple, and how far they shall extend.*

TEM, it is accorded and established, That the staple of *West-* Staple bound-  
ded.  
 minster shall begin its bound at *Temple-bar*, and extend to  
*St. Martin's*. And also in other cities and towns where staples be,  
 the bounds of the same staples shall be within the walls, where  
 the cities and towns be walled or enclosed, and in the cities or  
 towns, which be not walled nor inclosed, the bounds of the  
 said staples shall be through all the city or town.

Statutes made at *Westminster*, Anno 31 EDW. III.  
stat. 1. and *Anno Dom.* 1357.

**T**O the honour of God and holy church, it is accorded by our Lord the King, the prelates, earls, barons, and all the commonalty of the said realm of England, in the parliament holden at Westminster the Monday next after the week of Easter, the year of the reign of our lord King EDWARD of England the one and thirtieth, and of France the eighteenth.

**A**L honneur de Dieu & de sainte eglise si est acorde par nostre seigneur le Roi prelatz countes barons & tote la communalte du Roialme dEngleterre en cest present parlement tenuz a Westm' le Lundy profchein apres la symayne du pasqe lan du regne nostre dit seigneur le Roi EDWARD dEngleterre trent & primer & de France disoitisme.

CAP. I.

*A confirmation of the Great Charter and the Charter of the Forest.*

**F**IRST, That the Great Charter and the Charter of the Forest be firmly kept, holden, used, and executed in all points.

**E**N primes qe la Grante Chartre & la Chartre de la Foreste soient fermement gardes tenuz usez & executz en touz pointz.

CAP. II.

*No wool shall be bought by fraud to abate the price thereof. Weights shall be sent to all shires.*

**I**TEM, whereas at the grievous complaint of the commons of the realm of England, it was shewed, that the merchants which buy wool in fairs and markets, and other places by covin and consent betwixt them, do abate the price of wools, and use other weight than is ordained by the statute before this time, in annoyance of the people; (2) it is accorded and established, That proclamation be made through the realm, that no merchant do such covin, upon a grievous forfeiture: (3) and if any do against the same after the proclamation, the King shall assign

No wools shall be bought by fraud to abate the price thereof.

**I**TEM come a la gref complainte de la communalte du roialme dEngleterre soit monstre qe les marchauntz qi achatent laines en feyres & marchez & aillours par covyne & consent entre eux abbesent le pris de laynes & usent autre pois qe nest ordine par estatut devant ces heures en arrierissement du poeple. Si est acorde & establi qe proclamation soit faite par tote le Roialme qe nul marchaunt face tiele covyne sur gref forfaiture & si nul face a lencontre apres la proclamation faite le Roi assignera ses justices denquere a  
suytq

byte de partie de touz qi font  
iele covyne & doier & termi-  
ner pur le Roi & pur la partie.  
Et qe certaines balaunces &  
pois de sac dimy sac & quarter  
ivre dimy livre & quarteron  
cordaunt a lestandard de les-  
chequier soient mandez as touz  
viscontz d'Engleterre entre cy a  
la nativite feint Johan profchein  
venir issint qils receives les  
dites balaunces & pois facent  
proclamation par touz leur  
countees qe chescun qi voudra  
ever tieu balaunces & pois vie-  
ne a viscont devant le feint  
Michel de faire leur balaunces  
& pois acordantz au dit estan-  
dard a leur coustages sanz  
rien doner au viscont pur las-  
suy en lensample des dites be-  
launces & pois aver & qe des-  
lonques nul ne vende nachate  
par autre pois & si nul face a  
lencountre soit puny par fyn a  
la volente le Roi.

sign his justices to enquire at  
the suit of the party of all that  
do such covin, and to hear and  
determine for the King and  
for the party. (4) And that cer-  
tain balaunces and weights of  
sack, half sack, and quarter,  
pound, half pound, and quar-  
ter, according to the standard  
of the exchequer, be sent to all  
sheriffs of *England* betwixt this  
and the nativity of *St. John*  
next coming, (5) so that they  
(such balaunces and weights re-  
ceived) shall make open pro-  
clamation through all their  
counties, that every man that  
will have such balaunces and  
weights, shall come to the she-  
riff before *Michaelmas*, to make  
their balaunces and weights ac-  
cording to the said standard  
at their costs, without any  
thing giving to the sheriff for  
to have assay or example of the  
said balaunces and weights; (6)  
and that from henceforth none  
shall sell nor buy by other weight;  
(7) and if any do against  
the same, he shall be punished by  
fine at the King's will.

Balaunces and  
weights shall  
be sent to all  
the sheriffs of  
*England*, and  
every person  
may make  
theirs by  
them.

11 H. 7. c. 4.

### CAP. III.

*A man charged with detaining a felon's goods, layeth the  
fault on another.*

**I**TEM si nul homme ou ville  
soit charge en leschequier  
par estrete des justices des cha-  
teaux des fuitifs & de felons &  
voet allegger en descharge de  
lui autre qi soit chargeable soit  
oi & outre fait droit.

**I**TEM, if any man or town  
be charged in the exche-  
quer by estreats of the justices  
of the chattles of fugitives and  
felons, and will alledge in  
discharge of him another  
which is chargeable, he shall be  
heard, and right done to the  
other.

A man charg-  
ed with de-  
taining of fe-  
lons goods  
layeth the  
fault on ano-  
ther.



## CAP. IV.

*Redressing of extortion in bishops officers in proving of wills.*

By what means extortion in bishops officers for proving of testaments shall be redressed.

**I**TEM, whereas the ministers of bishops and other ordinaries of holy church, take of the people grievous and outrageous fine for the probate of testaments, and for the making of acquittances thereof; the King hath charged the archbishop of Canterbury, and the other bishops, that they cause the same to be amended; (2) and if they do not, it is accorded, That the King shall cause to be inquired by his justices of such oppressions and extortions, to hear them and determine them, as well at the King's suit, as at the suit of the party, as in old time hath been used.

3 H. 5. c. 2.  
21 H. 8. c. 5.

**I**TEM come les ministres des evesques & autres ordinaires de sainte eglise preignent du poeple grevoues & outrageouses fines pur le proeve des testaments & pur les acquittances ent faire le Roi ad charge lercevesque de Cantebirs & les autres evesques. qils ent mettent amendement & fils ne facent acorde que le Roi ferra enquerre par ses justices des tieux oppressions & extorsions & de les oier & terminer sibien a la fuyte le Roi come de prove come auncienement ad est use.

## CAP. V.

*The contents of a tun of wine, and the gauging thereof.*

27 Ed. 3. Stat. 1.  
c. 2.

**I**TEM, whereas it is ordained by a statute, That the tuns of wine ought to contain a certain number of gallons, according to the old gauge, and now they be diminished for default of the gauger's office evil used, to the great damage of the people; (2) It is accorded and established, That the said statute shall be holden and kept in all points; (3) and moreover, if any sell a tun or pipe of wine not gauged, that the said seller shall forfeit the same wine, or the value, to the King.

He that selleth his wine un-gauged shall forfeit it.  
18 H. 6. c. 17.  
1 R. 3. c. 13.  
28 H. 8. c. 14.

**I**TEM come ordne soit par estatut que les tonelx de vin duissent contenir certain nombre des galons solonc launciene gauge & ore ils sont amenutez per defaute del office de gauge malement use a grant damage du poeple acorde est & establi que le dit estatut soit tenu & garde en touz pointz & outre ceo si nul vende tonel ou pipe de vin nient gauge que le vendour forface mesme le vin ou le value devers le Roi.

## CAP. VI.

*be lords of franchises shall have the fines of labourers and servants, &c. forfeited.*

TEM, *whereas by a statute late made it was ordained, That the issues, fines, and amerciaments of servants, artificers, and other workmen, judged before justices of labourers, should be to the King after three years of the triennial quinzime then granted to the King by the commons of the realm: It is accorded and assented, That the lords of franchises, which have issues, fines, and amerciaments, labourers by point of charter or in other manner, shall from henceforth have the said fines, issues, and amerciaments, that to them pertaineth, as long as the justice of labourers doth endure. And always that the said lords make contribution to the payment of the issues of such justices of labourers, according to the rate of the profits that they do take.*

Ex edit. Rast.  
Fines, amerci-  
aments.  
Labourers.

## CAP. VII.

*Justices shall enquire of the offenders of the laws of the staple.*

TEM, it is accorded, That the statute of labourers be as well holden in the city and the suburbs of London, and in the five parts, and all manner of other franchises, as elsewhere in England. And that the King assign his justices to inquire, hear, and determine of those that have brought wools, leather, and woolfells to the parts beyond the sea, and thereof have done covin and excess, and otherwise attempted against the ordinances and the form of the statute of the staple.

Statute of la-  
bourers.  
Wools.  
Leather.  
Fells.  
Staple.

## CAP. VIII.

*That refuse shall be made of wool. All wools, &c. shall be brought to the staple.*

TEM, It is accorded and assented, for the common profit and ease of the people, That every merchant and other, as well alien as denizen, may bring to the parts beyond the sea, which be of the King's amity, wools, leather and woolfells, from the fifth day of May next coming to the feast of St. Michael next ensuing, paying for every sack fifty shillings, and for every C woolfells fifty shillings, and for the last of leather C shillings, for the custom and subsidy of the same. (2) And that no merchant nor other that buyeth wools, shall make other refuse of wools than was wont to be made in times past, that is to wit, of cote, gare, and villian fleeces; (3) and that every sack contain xxvi stones: and every stone xiv pound, according to the weight of the standard of the exchequer, and no more nor less. (4) And that all the wools, fells, and leather bought in the country, shall be brought to the staples, and there shall abide the least fifteen days. (5) And those that may not there be sold or delivered within the fifteen days, shall be brought to the

What refuse  
may be made  
of wool.

The content  
of a sack and  
stone of wool.

Wools  
brought to  
the staple shall  
remain there  
xv days.

the ports ordained for the staple, to pass from thence to the parts aforesaid, paying the customs and subsidies aforesaid. (6) And that no wools vendible shall be lodged, shewed or sold within three miles of the staples, but in the same staple, saving that every lord and other man saving a merchant, may freely lodge, shew and sell his wools which be of his own growing, in his own house and elsewhere, as shall please him.

13 R. 3. Stat. 1. c. 9.

## CAP. IX.

*The King's council upon cause may defer the transporting of wool.*

Who may defer the passage of wool.

**I**TEM, it is accorded and assented, That the chancellor and treasurer which for the time shall be, by the advice of other of the King's council, shall have power to defer the term of passage of wools when they see that need is.

## CAP. X.

*Who may govern or reform the defaults of victuallers in London.*

**I**TEM, because that the fishers, butchers, poulters, and other sellers of victuals in the city of London, by colour of some charters, and by evil interpretation of some statutes made in advantage of the people, that every man may freely sell his victuals without disturbance, and that no mayor, sheriffs, or other minister might to meddle of the sale; (2)

It is accorded and assented, That every man that bringeth victuals, whatsoever they be, to the city, by land or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by fisher, butcher, poultier, or any other. (3)

And that the mayor and aldermen of the said city may rule and redress the defaults of fishers, butchers, and poulters, as they do of those that sell bread, wine, or ale, notwithstanding charters of franchise, and statutes, customs, or other privileges made or used to the contrary. (4) And that the

**I**TEM pur ceo que les peffoners bochers poleters & autres vendours des vitailles en la citee de Loundres par colour dauscunes chartres & par malveis interpretation des afcunes estatuz faitz en avantage du poeple que chescun homme porra franchement vendre ses vitailles sanz destourbanee faunz ceo que maire viscontes ou autres ministres se deivent meller de la vente acorde est & assentu que chescun homme que amene vitailles queu qils soient a la dite cite par terre ou par eawe les puiffent franchement vendre a qi que lui plerra sanz estre destourbe ou empesche par peffoner bocher poleter ou autre quicunques. Et que les maire & aldermans de la dite citee puiffent reuler & redresser les defautes des peffoners bochers & poleters come ils font ceux qi vendent pain vin & cerveis nient contrestant chartres de franchises estatutz custumes ou autres privileges faitz ou uses a contraire. Et que les dites

The mayor and aldermen of London may reform the defaults of victuallers there.

28 Ed. 3. c. 10.

maire

aire & aldermans le facent & entent en execution sur peine adgairs ordire toehante le se de Londres issint qe le punishment des tieux ne soit faite r cause de singular profit.

saïd mayor and aldermen do the same, and put it in execution, upon the pain late ordained touching the city of London, so that the punishment of such be not made in respect of any singular profit.

6 R. 2. c. 11.  
Repealed as to victuallers by  
7 R. 2. c. 11.

## C A P. XI.

*whom the ordinary may commit the administration of the goods of him that dieth intestate. The benefit and charge of an administrator.*

ITEM acorde est & assentu qe en cas ou homme devie testat les ordinaires facent deputer de plus proſcheins & plus alx amis du mort intestat pur administer ses biens les queux pūtez eient action a demand & recoverer come executours dettes dues au dit mort inſtat en la court le Roi pur administrer & despēdre pur l'as du mort & respoignent aux queux le dit mort estoit tēz & obligez en mesme la manere come executours rādront. Et soient acountables as ordinaires si avant contēcutours soit en cas de testatent sibien de temps passē mē de temps avenir.

ITEM, it is accorded and assented, That in case where a man dieth intestate, the ordinaries shall depute the next and most lawful friends of the dead person intestate to administer his goods; (2) which deputies shall have an action to demand and recover as executors the debts due to the said person intestate in the King's court, for to administer and dispend for the soul of the dead; (3) and shall answer also in the King's court to other to whom the said dead person was holden and bound, in the same manner as executors shall answer. (4) And they shall be accountable to the ordinaries, as executors be in the case of testament, as well of the time past as the time to come.

To whom the ordinary may commit the administration of the goods of him that dieth intestate.

5 Co. 9.  
9 Co. 38.  
Carth. 376.  
1 Show. 407.  
Vaugh. 96.  
3 Mod. 244  
25. 59, 60.

The benefit and charge of an administrator.

13 Ed. 1. c. 19.  
21 H. 8. c. 3.  
22 & 23 Car.  
2. c. 10.

## C A P. XII.

*the lord chancellor and lord treasurer shall examine erroneous judgements given in the exchequer.*

ITEM acorde est & establi qe en touz cas touchantz Roi ou autres persones ou comme se plainte derrouer fait proces en leschequier les chancelier & tresorer facent venir devant eux en ascune chambre du conseil joust leschequier le record du proces hors leschequier & prises a eux lices & autres sages tieux come

ITEM, it is accorded and established, That in all cases touching the King, or other persons, where a man complaineth of error made in process in the exchequer, the chancellor and treasurer shall cause to come before them in any chamber of council nigh the exchequer, the record of the process out of the exchequer,

4 Inst. 105.  
1 Co. 11.  
Savill, 56.  
1 Shower, 420.  
The lord chancellor and treasurer shall examine erroneous judgements given in the exchequer.

quer,

quer, taking to them the justices and other sage persons, such as to them seemeth to be taken; (2) and shall also cause to be called before them the barons of the exchequer, to hear their informations, and the causes of their judgements, and thereupon shall duly examine the business; (3) and if any error be found, they shall correct and amend the rolls, and after send them into the exchequer for to make thereof execution as pertaineth.

come lour semblera qe sont aprendre & facent auxint apeller devant eux les barons de leschequier pur oier lour informations & les causes de lour jugement & sur ceo facent duement examiner la busoigne & si ascun errour y soit trouve les facent corriger & amendre les roule & puis reenvoier les en leschequier pur faire ent execution sicome appertient.

Altered by 31  
El. c. 1. & 16.  
Car. 2. c. 2. &  
20 Car. 2. c. 4.

## C A P. XIII.

*The King's pardon to the commons of the escape of felons and their goods not estreated; and a fifteen granted to him in regard of the same.*

Ex-edit. Rast.  
Charter of  
pardon.

**I**TEM, Our sovereign lord the King, considering the good aids of the commons of his realm often made to him, and the grants and divers charges, which they have suffered because of wars and other adversities, which before this time hath happened: In relief of the said commons he hath pardoned and released to them all the escapes of thieves and felons, and of chattels of felons, offugitives before this time fallen, which be not yet judged before the justices or put in estreats, and also all the americiaments not offered, whereof the commonalty of the county, hundred, or town ought or might in common, and not particularly against the King or his heirs in the Eyre of the justices hereafter for all the time past be charged, and as much as pertaineth to the King of escapes, chattels, and americiaments aforesaid, except the escapes of clerks convicted out of the prison of the prelates, their ordinaries. And thereupon hath granted to the commonalty of every county a charter of this pardon quit of the fee of the seal, which to him pertaineth, for which pardon and release the said commons have granted to our sovereign lord the King a *quinzime* yearly to be levied and gathered in the manner as the last *quinzime* granted to the King was levied, and to be paid at the feasts of Saint Michael and Easter, next coming, by even portions. And our said sovereign lord the King hath granted to the said commons, that for the said *quinzime* so granted, no gold shall be demanded nor levied to the use of the Queen, but that the said commons, shall be thereof wholly discharged: and also the King hath granted, that such escapes and chattels being in the hands of the King's ministers and of other singular persons, which be in life, shall be judged before the keepers of the peace in every county of England by presentment, as well as before justices in Eyre, and the estreats shall be made by indenture betwixt them and the collector

Clerks convicted.

Quinzime.

ctors of the *quinzime*, delivered to the same collectors, to levy the use of the commons in aid of their payment of the same *quinzime*, so that the same collectors make thereof distribution amongst the towns after necessity of every of the same, and surcharging an ordinance of the same justices.

## CAP. XIV.

*How escapes of felons, chattels of felons and fugitives, shall be levied.*

ET outre ceo est acorde qe les eschapes de larons & lons & les chateux des felons des fatifs & aussint eschapes des clerics conviēt hors de prison de lour ordinaires desore sugger devant qecunques justices nostre seigneur le Roi soient levez de temps en temps come ils escherrent sibien de temps passe come de temps avenir.

ITEM it is accorded, That the escape of thieves and felons, and the chattels of felons and of fugitives, and also escapes of clerks conviēt out of their ordinaries prison, from henceforth to be judged before any of the King's justices, shall be levied from time to time, as they shall fall, as well of the time past as of the time to come.

How escapes of felons shall be levied.

## CAP. XV.

*At what time a sheriff shall hold his turn.*

ITEM come en la grant chartre soit contenu qe nul visconte ou son bailif face son tourne par hundred forsque deuoit en lan en lieu due & acoustume cest assaver une foitz pres le Pasque & autrefoitz pres le Seint Michel & ore plusieurs de la communalte se font grevousment compleint plusieurs viscontes font souvent leur tourns en quarresme quant homme deveroit entendre a devotion & autres oeuvres de charite purremed de salme & a la foitz apres la gule d'August quant chescun apoi est occupie entour le seiere & lentrere des ses bledz par quoi le poeple se font mold grevez & deseizez nostre seigneur le Roi desirant la quiete de son poeple ad ordine & establi qe chescun visconte desore face son tourn annuelment unefoitz deinz le mois apres pasque et autrefoitz deinz le mois apres

ITEM, whereas in the great charter it is contained, That no sheriff nor his bailiff shall make his turn by hundreds, but two times in the year, in a place due and accustomed, that is to say, once after Easter, and another time after Michaelmas; (2) and now divers of the commons have grievously complained them, that some sheriffs make their turns oftentimes in Lent, when men ought to intend devotion, and other works of charity, for remedy of their souls; and sometime after the gule of August, when every man almost is occupied about the cutting and entring of his corn, whereby the people perceived them much grieved and disquieted: (3) Our lord the King, desiring the quietness of his people, hath ordained and established, That every sheriff from henceforth shall make his turn yearly one time within the month after

9 H. 3. stat. 1.  
c. 35.  
4 Mod. 114,  
115.

At what time only the sheriff shall keep his turn.

*Easter*, and another time within the month after Saint *Michael*; and if they hold them in other manner, that then they shall lose their turn for the time.

Altered by 33  
H. 8. c. 13. f. 1.

pres le Saint Michel & fils le tieignent en autre manere quadonques ils perdent leur tourn pur le temps.

**R**Ex vicecomiti Middlesexie salutem. Quedam ordinationes & statuta per nos prelatos duces comites barones & communitatem regni nostri Anglie in parlamento nostro apud Westm<sup>r</sup> die Lune proximo post septimanam Pasche proximo preterito tento pro communi utilitate dicti regni facta tibi mittimus sub pede sigilli nostri tibi precipientes quod dicta ordinationes & statuta in pleno comitatu tuo & aliis locis in balliva tua in locis ubi melius expedire videris publice proclamari & quantum in te est firmiter teneri & ab aliis observari facias. T. R. apud Westm<sup>r</sup> primo die Augusti.

Per ipsum Regem & consilium.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam sub eadem data.

The statute of herrings, made *Anno 31 EDW. III.*  
*stat. 2. and Anno. Dom. 1357.*

**F**Orasmuch as the commons of the realm of England, at the parliament holden at Westminster the Monday next after the week of Easter, the year of the reign of our lord the King, Edward the third of England xxxi, and of France xviii, have complained them to our lord the King, because that the people of Great Yarmouth do encounter the fishers bringing herring to the said town in the time of the fair, and do buy and foreball the herring before they do come to the town; (2) and also the hostlers of the same town, that lodge the fishers coming thither with their herring, will not suffer the said fishers to sell their said herring, nor meddle with the sale thereof, but sell them at their own will as dear as they will, and give to the fishers that pleaseth them, whereby the fishers do withdraw themselves to come thither; (3) and so is the herring set at much greater price than ever it was, to the great damage of our lord the King, of the lords,

**P**OR ce que la communalte du roialme d'Engleterre en parlement tenuz a Westm<sup>r</sup> le Lundy prochein apres la symayne de Pasque lan du regne nostre dit seigneur le Roi EDWARD d'Engleterre trente primer & de France disoitisme sad pleinte a nostre seigneur le Roi que par cause que les gentz de Grant Jernemuth' rencontrent les peschours menantz harang a la dite ville en temps de feyre & achatent & forstallent le harang avant qil veigne a la ville & auxint les hostillers de mesme la ville qi herbergent les peschours venantz illoques ove leur harang ne veillent soeffre les ditz peschours vendre leur harang ne meller de la vente dicels einz le vendent a leur volunte demesne si cher come ils veillent & donent as peschours ceo que leur plect par quoi les peschours se rethent de venir illoques & issi est le harang mis a plus grant chierete que unques ne fust a grant damage

page nostre seignur le Roi des seignurs & de tout le poeple par voï nostre seignur le Roi veant le meschief en celle partie par assent des grantz & de tout la communalte ad ordine & establi remedie sur les ditz meschiefs en la fourme qe sensuyt.

lords, and of all the people: wherefore our lord the King, seeing the mischiefs in this behalf, by the assent of the great men and all the commons, hath ordained and established remedy upon the said mischiefs, in the form as followeth.

## CAP. I.

*Herrings shall not be bought or sold on the sea: at what time they shall be sold.*

Primerement qe nul harang soit vendu nachate en miers & anqueles peschours soient venuz en haven ove lour harang & qe la corde de la rief soit trete a terre.

FIRST, That no herring be bought or sold in the sea, till the fishers be come into the haven with their herring, and that the cable of the ship be drawn to the land. No herring shall be sold on the sea. 5 Eliz. c. 5.

## CAP. II.

*the order and time of bringing and selling of herring at Yarmouth fair. How many herrings shall be accounted an hundred, and how many a last. Who shall govern the fair.*

Item qe les peschours soient franks de vendre lour harang as totes gentz qe viegent a la feyre de Jernemuth sanz nulle destourbance de lour hostilers ou autres queconques. Et qant les ditz peschours vullent vendre en port lour marchandises eient lour hostilers ovez qe eux s'ils y vullent estre & en lour presence & en presence d'autres marchantz a apert vendent lour marchandises a q' qe lour plerra. Et si autres marchantz presentz vullent aver part des dites marchandises et chescun qe l'aime [avera] sa part pur le pris solonc l'assent de mesmes peschours marchandises issint venduz soit la dite vente faite du soleil levant tanqe a soleil reuer & nemi devant ne apres sur forfaiture de mesmes les marchandises. Et qe les ditz peschours soient franks d'achater

ITEM, That the fishers be free to sell their herring to all that come to the fair of Great Yarmouth, without any disturbance of their hostilers, or any other. (2) And when the fishers will sell their merchandises in the port, they shall have their hostilers with them, if they there will be, and in their presence, and the presence of other merchants, openly shall sell their merchandises. (3) And that every man claim his part for the price, after the rate of the same merchandises sold; (4) and the said sale shall be made from the sun-rising till the sun going down, and not before nor after, upon forfeiture of the same merchandises. (5) And that the said fishers be free to buy their victuals, and that which they need, where shall please them. (6) And that no hostilers, nor other,

The order and time of bringing and selling of herrings at the fair of Great Yarmouth. 15 Ed. 3. c. 1. St. 35 Ed. 3.



The price of  
a last of her-  
ring.

There shall be  
no forestalling  
of herring.  
§ Eliz. c. 5.

A pyker of  
London shall  
not enter the  
haven of Yar-  
mouth to en-  
hance the fair.

To what host-  
elers shall be  
sworn.

Herrings sold  
to hostelers to  
their own use.

other, buy any for to hang in their houses by covin, nor in other manner, at an higher price the last than forty shillings, but less in as much as he may, according as he may agree with the seller. (7) And that no hostelers, nor any of their servants, nor any other whatsoever he be, coming to the said fair, shall go by land nor by sea to forestal herring privily nor openly, but the herring shall come freely unfold unto the haven. (8) Nor that any pyker make buying of fresh herring in the haven of *Yarmouth*, betwixt the feast of *Saint Michael* and *Saint Martin*, upon pain of imprisonment at the King's will, and to forfeit all the herring so bought. (9) And that no vessel called pyker of *London*, nor of none other place, shall enter into the said haven to enhance the fair in damage of the people, upon the pain of forfeiture of their vessel, and all their chattles found within. (10) And that all the hostelers be sworn before the wardens of the said fair, and enjoined upon a great forfeiture to the King, to receive their guests well and conveniently, and to aid and ease them reasonably, taking of every last that shall be sold to other merchants than to the said hostelers 40 d. (11) And that of herring sold to the same hostelers to take in their houses, the same hostelers shall take nothing, and that because of the profits which they shall have of victuals sold to their said guests, and of the advantages that they have more than other of curage of herring so by them bought, and hanging in their houses. (12) And that the

ter leur vitailles & ceo qe leur besoigne ou qe leur plerra. Et qe nul hostiler nautre nachate nul harang pur pendre en meson par covine ne en autre maniere plus haut la last de xl. fouldz mes meins en tant come il poet solonc ceo qil porra a corder ove le vendour. Et qe nul hostiler ne nul de leur valletz ne nul autre qi qe ceo soit venant a la dite feyre naille par mer ne par terre de forestaller le harang en prive men apert mes qe le harang veigne franchement nient vendu en la haven. Ne qe nul renner ne face achate de harang fresch deinz le haven de *Jernemuth* parentre les festes de *Seint Michel* & de *Seint Martyn* sur peine demprisonement a la volente le Roi & de forfaiture de tout le harang issint achate. Et qe nul vessel appelle pyker de *Londres* ne de nulle part ailleurs nentre deinz le dit haven pur encherer la feyre a damage du poeple sur peine de forfaiture leur vesselx & touz leur chattes trevez dedeinz. Et qe touz les hostilers soient sermentez devant les gardeins de la feyre & enjointz sur gref forfaiture du Roi de receiver leur houstes bien & convenablement & de eux aider & eider resonablement parnant de chescune last qe serra vendue a autres marchantz qe as dit hostilers quarrant deniers. Et qe de harang vendu as mesmes les hostilers de pendre en leur mesons riens ne prendront le hostilers & ceo pur cause de profitz qils averont des vitailles venduz a leur ditz houstes & davantage qils ont plus qe autres du coriage de harang issint par eux achate & pendu en leur mesons. Et qe les hostiler

ar cause de ceste ordinance ne  
 s'issent leur houltes einz les  
 reuevent & trettent en bone  
 manere & amiable come ils ont  
 fait avant ces heures & qils pur  
 l'antage de les quarrant deniers  
 du last empreignent pur le  
 paiement de tut le harang que  
 sera vendu par leur assent as  
 eonques personnes. Et soit le  
 cent de harang acompte par  
 le last par £. Et que les  
 marchantz de Jernemuth de  
 Londres & ailleurs vendent le  
 last de harang au poeple so-  
 lonc lasserant du pris du last.  
 Et que deux lastes de shoten-  
 harang fresch soient venduz pur  
 le pris de lasserant de lachate  
 une last du plein harang. Et  
 que les gentz de Jernemuth ven-  
 dent le last de harang sech' a-  
 chate pur quarrant souldz fresch  
 a dedeinz quarrant souldz pur  
 un marc de gaine & nemye  
 outre. Et que les gentz de  
 Londres a tiel fire le last a-  
 chate de Jernemuth en Loun-  
 dre pur un marc de gaine &  
 nemye outre. Et aussint soient  
 deux lastes de shotenharang  
 fresch venduz pur le pris de  
 lasserant de lachate dun last  
 de harang plein & issint de plus  
 & de moins solonc mesme las-  
 serant & de shotenharang soer  
 soient aux lastes venduz plus  
 chier que marc que la last de  
 harang lein soer & ce par  
 cause que le coriage du last de  
 shoten harang coust a tant  
 come le last de harang plein &  
 issint de plus & de moins solonc  
 mesme lasserant. Et que les  
 niefz appellez pykers achatent  
 franchement harang fresch &  
 toutes autres marchandises des  
 pescheurs en cirkele & ailleurs  
 sur costeres; la mier sanz  
 empeschement ou destourb-  
 ance de leur stilers de Jerne-  
 muth

hostelers because of this ordi-  
 nance do not refuse their guests,  
 but receive them, and intreat  
 them in good and friendly  
 manner, as they have done be-  
 fore-time. (13) And that they  
 for the advantage of 40 d. the  
 last, take upon them for the  
 payment of all the herring that  
 shall be sold by their assent to  
 any persons. (14) And the  
 hundred of herring shall be ac-  
 counted by six score, and the  
 last by ten thousand. (15) And  
 that the merchants of *Yarmouth*,  
 of *London*, or elsewhere, sell the  
 thousand of herring to the  
 people after the rate of the  
 price of the last. (16) And  
 that the people of *Yarmouth* sell  
 the last of red herring bought  
 for 40 s. fresh within forty  
 days, for half a mark of gain,  
 and not above. (17) And that  
 the people of *London* at such  
 fair shall bring the last from  
*Yarmouth* to *London* for one  
 mark of gain, and not above.  
 (18) And also two lasts of  
 shotten herring fresh shall be  
 sold for the price assessed of the  
 buying of a last of full herring,  
 and so of more and less after  
 the same rate; (19) and of  
 shotten herring red, the two  
 lasts shall be sold dearer of a  
 mark than the last of herring  
 full red, and that because the  
 curage of the last of shotten  
 herring draweth to as much as  
 the last of full herring; and so  
 of more and less, according to  
 the same rate. (20) And that  
 the ships called the pykers shall  
 freely buy fresh herring, and all  
 other merchandises of fishes in  
*Kyrkly*, and elsewhere upon the  
 coasts of the sea, without im-  
 peachment or disturbance of  
 the hostelers of *Yarmouth*, or of  
 any other; (21) so always,

The hundred  
 of herring six  
 score; and the  
 last ten thou-  
 sand.

The prices of  
 herring, and  
 the gains  
 thereby.

that no more herring be discharged in the road of *Kyrkly* out of the fishers ships, but as much as may reasonably suffice to the charge of the pykers that thither shall come for the same cause. (22) And that the fishers be compelled to bring all the remnant of their herring to the said fair to sell there; (23) so that none sell herring in any place about the haven of *Yarmouth* by seven miles, except in three towns of *Yarmouth*, that is to say, *Eston*, *Weston*, and *Southton*, unless it be herring of their own fishing. (24) And our lord the King doth will, that the barons of the five ports shall cause to be kept and governed the said fair according to the composition late made between them and the people of the town of *Yarmouth*; confirmed by the King's grandfather; (25) and that the same barons and bailiffs of *Great Yarmouth* cause to be kept these present ordinances in all points, and to be cried in every *Sunday* between *St. Michael* and *St. Martin*, upon the pain to lose their franchise, and to be punished at the King's will; (26) and that the people of *Yarmouth* suffer the said barons of the five ports to govern and rule the said fair after the purport of the said composition, and due execution to be made of this ordinance upon the pain last aforesaid. (27) And these ordinances in the right of buying and selling of herring, shall be holden in all the towns of *England*, where herring is taken and dried, upon the pains aforesaid.

muth ou de nul autre issint toute-foitz que plus de harang ne soit deschargez en la rode de *Kirkele* hors de niefs de peschours fors tant que purra raisonablement suffire a la charge de pykers que illoeqes vendront pur celle cause. Et que les peschours soient arcez de amener tout le remenaunt de leur harang a la dite feyre de vendre illoeqes issint que nul ne pende harang nul part environ le haven de *Jernemuth* par sept lewes sinoun en trois villes de *Jernemuth* cest assaver *Eston* *Weston* & *Southton* sil ne soit harang de leur pescherie demesne. Et nostre seigneur le Roi voet que les barons de cynk portz facent garder & gouvernir la dite feyre solonc la composition nadgairs faite entre eux & les gent de la ville de *Jernemuth* confirmee par lael nostre seigneur Roi et que mesmes les barons & les bailiffs de *Grant Jernemuth* facent garder cestes presentes ordinances en touz point & crier chescune *Dymenge* par entre le *Seint Michel* & le *seint Martyn* sur peine de perdre tout franchises & destre puny a la volunte le Roi Et que les gentz de *Jernemuth* soeffrent a ditz barons de cynk portz gouvernir & reuler la dite feyre solonc le purport de la composition avantdite & due execution estre faite de cestes ordinans sur la peine darreinement dite. Et soient cestes ordinans en droit de vente et achate le harang tenues en totes les Isles d'Engleterre ou harang est pris & secche sur les peines susdites.

The barons of the five ports must govern the fair of *Great Yarmouth*.

These ordinances to be observed in all towns where herring is taken and sold.

## CAP. III.

*That great officers shall take order for selling and buying of fish.*

ET acorde est par nostre seigneur le Roi les grantz toute la communalte en cestement que les chaunceller & forer pris a eux justices & autres du conseil le Roi tieux me leur semblera eient poer ordiner remedie de lachate & de stokfish de Seint Baph saumon de Berewyk & de vins & de pesson a Bristuit & ailleurs au fin que le Roi & le peple soient meuth seruitz pur ellieur marche qils nount este avant ces heures & que lordinance par eux faite en celle partie soit fermement tenuz.

ITEM, it is accorded by our lord the King, the great men, and all the commons in this present parliament, That the chancellor and treasurer taking to them justices, and other the King's council, such as to them shall seem, shall have power to ordain remedy touching the buying and selling of stock-fish of St. Botulf, and salmon of Berwick, and of wines and fish of Bristuit, and elsewhere; to the intent that the King and the people may the better be served, and have better market than they have had before this time, and that the ordinances by them made in this party be firmly holden.

The chancellor and treasurer may make order for the buying and selling of certain fish and wine.

Another statute for salt-fish, made Anno 31 EDW. III. stat. 3. and Anno. Dom. 1357.

Orce que monstre est a nostre seigneur le Roi par les communes de son roialme dEngleterre en son parlement tenuz a Westm' Lundy prochein apres la femaigne de Pask lan du regne nostre seigneur le Roi cest assavoir dEngleterre trent primer & de France disoitisme que pessons salez de Blakeneye & de les costeres signantz sont & devant ces heures ont este venduz a trop chier excessif pris a grant damage de nostre seigneur le Roi des grantz de tout le poeple du dit roialme de quoi les ditz communes ont remede nostre seigneur le Roi desirant sur ce mettre amendement en eise de son poeple & par assent de les prelatz & autres grantz & communes ad ordegne & establi sur la vente des pez pessons en la manere que sensuyt.

## CAP. I.

*Doggers and load-ships of Blackney haven shall discharge their fish there.*

Primerement que touz les chiens appelez dogeres & dshippes appartenantz al haven de Blakeneye & des costes joignantz cestassavoir de Suyterle

FIRST it is ordained, That all the ships called Doggers and Loadships, pertaining to the haven of Blackney, and coasts thereunto adjoining, that

Doggers and load-ships of the haven of Blackney shall discharge their fish within the same haven.

is to say, the *Suytor*, the *Wynton*, *Clay*, *Salthouse*, *Shiringham*, and *Crowmer*, shall deliver or discharge their fish within the haven of *Blackney* only, betwixt *Benord* and *Hogfleet*, and in none other place, upon pain of imprisonment at the King's will, and forfeiture of the same fish. (2) And that no fish be delivered, nor carried out of the ship to any house, nor elsewhere, before that the owner of the ship, wherein the said fish is charged, and the merchant that shall buy the fish, be agreed of the price of the same, by clear day.

Suyterle Wyn' Claye Salthous Shyringham & Crowmere deliverent & deschargent leur peffon dedeinz le haven de Blake-neye tantfoulement parentre Benorde & Hoghflete & en nul lieu aillours sur peine demprisonnement a la volente le Ro & forfaiture de mesme le peffon. Et qe nul peffon soit li-vere ne porte hors du nies a nulli meson ne aillours avant qe le seignur du nies en quele le dit peffon est chargee & le marchant qui le peffon achatera soient acorde du pris dicel & ce par cler jour,

## CAP. II.

*The price of dogger-fish shall be assessed at the beginning of the fair. Who may buy nets and books in Norfolk.*

**I**TEM, That no fisher nor owner of any ship, nor any other, set hand upon any fish within the ship for to try, choose, or impair the fish, but only the buyer or his attorney, upon the said pain. (2) And that no fish called *Loych-fish* shall be chosen or tried, but only in three parts, that is to say, lob, ling, and cod; (3) and that every of the same three sorts of lob, ling, and cod, be good and covenable, as in old time hath been used. And in case that no orgeys, that is to say, fish greater than lob, be found in a ship called a *Load-ship*, in the hundred of lob, ling, and cod, the master and mariners shall have of every hundred of lob, ling, and cod (the hundred accounted to six score) twenty orgeys, if there be so many: and if there be less, the masters and mariners shall have all the orgeys; (4) and if there be more, the overplus above the scores to every hundred

**I**TEM qe nul peffchour ne seignur du nies ne nul autre ne mette main sur nul peffon deinz nies pur le peffon trier eslire ou empirer fors soulement lachatour ou son attorneur sur la dite pains. Et qe nulle peffon appelle tochefish ne soit eslu ne trie fors tantfoulement en trois parties cestassavoir lob lyng & cod et qe chescun de mesmes les trois fortz de lob lyng & cod soit bon & covenable come en auncien temps estoit usee. Et en cas qe nul orgois cest assavoir peffon plus grant qe lob soit trove en nies appelle Lodship en le cent de lob lyng ou cod eient les mestres & mariners de chescun cent de lob lyng & cod (le cent acompte a dis vintz) vint orgois si tantz y soient & si meins y soient eient les mestres & mariners touz les orgois et si plus y soient soit le surplus outre les vintz a chescun cent mys a le peffon achate en amendement du pris dicel au profit

Loych-fish tried but in three parts, lob, ling, and cod.

Who shall have the orgeys.

profit del achateur. Et qe par  
 lavis des marchantz & achateurs  
 des seignurs venantz a la feire de  
 Blakeneye & des seignurs des niefs  
 soit a commencement ayant qe nul  
 vent se face certain pris mys & affiz  
 sur le pesson de dogerfish & lochefish  
 queu pris soit tenuz durante la feire  
 et qe tout le dit pesson soit vendu a  
 tiel pris en apert & nemye par covyne  
 priveement en muscet. Et qe nul seigneur  
 de nief mariner nautre ne herberge ne  
 face herberger en lour mesons en prive  
 nen appert pesson en la mod ne pesson  
 sek pur revendre altrefoit a retail einz  
 soit tout tiel pesson vendure raisonnablement  
 dedeinz les boundes susdites as foir &  
 pris avantditz sur mesme la peine. Et  
 qe nul homme achate retz hokes nautres  
 instrumentz appartenantz a pescherie en  
 le contee de Norff' forspris seignurs mestres  
 & mariners des niefs qui usent le mester  
 de pescherie & gont affaire des tielles  
 choses sur peine demprisonement & destre  
 reintz a la volente le Roi & sur forfaiture  
 des choses issint achates. [Et qe nul delivrance  
 soit fait del dit pesson sanz presence de  
 fiz hommes a ce esluz par les bones gatz  
 de les villes Suyterle [Southaley] Wyneton  
 Claye Salthous & Shiryngham & les seignurs  
 & mestres des niefs & les marchantz queux  
 fis hommes cynk quatre trois ou deux de  
 eux a meins soient toutefoiz en presence  
 ove les seignurs & mestres de les niefs &  
 les marchantz a chescun delivrance affaire  
 & ferront les ditz fis hommes esluz jurrez  
 de bien & loialment fercher si nul orgois  
 soit trove en muscet ultre vint orgois

dred shall be put to the fish bought in amendment of the price of the same to the profit of the buyer. (5) And also by the advice of the merchants and buyers of the owners coming to the fair of *Blackney*, and of the owners of the ships, a price shall be set at the beginning, and assessed upon the dogger-fish and loych-fish, before that any sale be made, which price shall be holden during the fair; and that the said fish be sold at such a price openly, and not by covin privily. (6) And that no owner of ships, mariners, nor other, lodge, nor caute to be lodged in their houses privily nor openly, fish in the mud, nor fish dried, for to sell again another time at retale, but all such fish shall be sold reasonably within the said bounds at the fair and price aforesaid, upon the same pain. (7) And that no man buy nets, hooks, nor other instruments pertaining to fishing in the county of *Norfolk*, but owners, maisters, and mariners of ships that use the mystery of fishing, and which have to do with such things, upon pain of imprisonment, and to be ransomed at the King's will, and to forfeit the things so bought.

The price of dogger-fish shall be assessed at the beginning of *Blackney* fair.

Fish shall not be kept secret to be sold by retail.

Who may buy nets and hooks in *Norfolk* to fish with.

(8) And that no owner of a ship, mariner, nor other, make impeachment, nor be resistant in any point against this present ordinance. Nor that no mariner nor fisher, because of this ordinance, leave or refuse to go in fishing, as before times they were wont to do, nor disturb any covenant made between a merchant and owner of a ship, upon pain of imprisonment,

The punishment of the offenders of this statute.

sonment, and to be ransomed at the King's will; (9) and that upon the same a writ be sent to the sheriff of *Norfolk*, that at every man's complaint that will sue for the King, or for himself, against those that in any point offend against this ordinance, he shall cause the same resisters and trespassers to be attached, and them detain in prison till the King and his council have ordained of them that right requireth, after the quantity of their trespass.

gois qe les mestre & mariners averont del cent come dessus est dit & si plus orgois soit trove en muscet soit meinte- nant arestu par le ditz [sic] hommes esluz a celle heure presentz & forfait a nostre seigneur le Roi \*.] Et qe nul seigneur de nief mariner nautre ne face empeschement ne ne se rebel en nul point contre ceste presente ordinance. Ne qe nul mariner ne peschour par cause de ceste ordinance ne jesse ne refuse daler pescher come il foit leit devant ces heures faire ne

ne destourbe covenante faite parentr marchant & seigneur de nief sur peine demprisonement & destre reint a le volonte le Roi & qe sur ce brief soit mande au vilconte de Norff' qe a chescune plainte qi vorra fuir pur le Roi ou pur lui mesmes contre ceuz qui vendront en ascun point contre ceste ordinance face attacher les ditz rebelx & trespassours & les detenir en prison tanqe le Roi & son conseil eient ordenez de eux ceo qe droit demande selonc la quantite de lour trespass.

\* Note, There are two copies of this statute on the roll, in one of which the words included in the crotchets are not found.

### Ordinatio facta pro statu terræ Hibernie, 30 EDW. III. stat. 4. †

**R**EX archiepiscopis episcopis abbatibus prioribus ministris nostris tam majoribus quam minoribus & quibuscunque aliis de terra nostra Hibernie fidelibus nostris ad quos &c. salutem. Quia ex frequenti fidedignorum insinuatione accepimus quod terra nostra Hibernie ecclesieque Hibernicana ac clerus & populus ejusdem nobis subditus ob defectum boni regiminis ac per negligentiam & incuriam ministrorum regionum ibidem tam majorum quam minorum hactenus turbati fuerant multipliciter & gravati marcheeque terre ipsius juxta hostes posite per hostiles invasiones vastate occisis marchionibus & depredatis & eorum habitationibus enormiter concrematis ceterisque coactis loca propria deserere quibusdam videlicet ad hostes ceteris ad loca extranea fugientibus diverseque partes dictarum marchiarum taliter desolate & derelictæ per hostes eisdem occupate nostraque & ejusdem terra negotia incongrue & inutiliter agitata leges & approbate consuetudines minus debite observate populus noster bonis & rebus suis contra justitiam legem & formam statutorum inde

† This statute is found upon the roll, and is supposed to have been made about this time.

ditorum diversimode spoliatus paxque nostra lesa & minime custodita ac proditores latrones & malefactores non sicut convenit castigati quorum malorumque occasione majora dampna irreparabilia evenire quod absit timentur nisi premissis opportunis remediis occurratur: Nos desiderantes utili regimini & quieti eandem terre & populi providere que sequuntur propterea de consensu consilii nostri ordinanda duximus & firmiter observanda.

## CAP. I.

IN primis videlicet volumus & precipimus quod sancta Hibernicana ecclesia suas libertates & liberas consuetudines illesas habeat & eis libere gaudeat & utatur.

## CAP. II.

ITEM volumus & precipimus quod nostra & ipsius terre negotia presertim majora & ardua in consiliis per peritos consiliarios nostros ac prelatos & magnates & quosdam de discretioribus & probioribus hominibus de partibus vicinis ubi ipsa consilia teneri contigerit propter hoc evocandos in parliamentis vero terra ipsos consiliarios nostros ac prelatos & proceres aliosque de terra predicta prout mos exigit secundum justitiam legem consuetudinem & rationem tractentur deducantur & fideliter more vere odio aut pretio postpositis discutiantur & etiam terminentur.

## CAP. III.

ITEM cum justiciarii & quidam alii ministri nostri dicte terre qui hactenus extiterant ducti consiliis privatorum consiliarium suorum non nostrorum ne dicamus broccatorum innumeras injurias tam nobis quam personis aliis singularibus irrogaverunt commoda in ea parte illicite acquisita suis propriis non nobis usibus applicando volumus & precipimus quod ipsi ministri majores maxime tales consiliarios ut premittitur broccatores presertim illos de hujusmodi broccagiis diffamatos qui cum hujusmodi majoribus ministris ante hec tempora extiterant semper non teneant & si quos tenuerint ipsos ab eis statim amoveant ne nostra & terre negotia per ipsos broccatores impetantur & commoda ad nos pertinentia a nobis per ipsorum fabricata consilia auferantur et si hujusmodi privati consiliarii quod absit in eandem ministrorum nostrorum comitibus contra ordinationem edictam retenti quicquam a populo seu eorum quolibet in eorum gravamen ex broccagio vel alio sinistro pacto ad suum vel minorum suorum opus receperint illud plene solventi restituant & nichilominus pro excessu hujusmodi erga nos per justiciarium consilium nostrum Hibernie debite puniantur & rationabilem aut eisdem justiciario & consilio nostris expedire videbitur faciant finem & amoveantur statim ut pretangitur a comitibus eandem districtius justiciario nostro Hibernie qui pro tempore fuerit injungentes quod hoc penes se fideliter observet & penes eos faciat observari.



## CAP. IV.

**I**TEM cum populus quasi per totam Hiberniam nobis subiectus per spoliaciones & captiones victualium & aliorum bonorum suorum per provifores dictorum majorum ministrorum & sepissime de mandato ipsorum ministrorum lamentabiliter sit depressus volumus & firmiter precipimus quod provisiones victualium ad nostrum & dictorum majorum ministrorum nostrorum opus in dicta terra Hibernie faciende fiant juxta formam statutorum & articulorum per nos in parliamentis & aliis magnis consiliis ad utilitatem populi nostri editorum & factorum & non aliter ita quod victualia sive res alie quecunque ad opus hujusmodi capienda per probos & legales homines locis ubi ea capi contigerit vicinos juratos non comminatos nec comminationibus compulsos habita consideratione ad pretium quo talia victualia & res in vicinis mercatis venduntur appetentur & statim pretium persolvatur & si imminente pecunie defectu provifores predicti tallias de pretio ipso illis a quibus victualia & res captas fuerint juxta dictum pretium faciant infra unum vel duos menses pretium ipsum solvant ita semper quod pro modicis victualibus & rebus sic emptis & captis videlicet infra summam viginti solidorum in manu solutio prompta fiat et si majores ministri nostri facere neglexerint volumus & precipimus quod thesaurarius noster Hibernie qui pro tempore fuerit dictum pretium de feodis que ipsi majores ministri nostri ad scaccarium nostrum Dublinie percipiant sine difficultate solvat alioquin tantum de feodo dicti thesaurarii subtrahatur et pro eisdem victualibus ob ejus in hac parte culpam solvatur & quod provifores ad victualia hujusmodi providenda deputati coram consilio nostro Hibernie corporale prestent super sancta Dei evangelia juramentum quod victualia ipsa providebunt & capient ubi ad majus commodum nostrum & ministrorum nostrorum & minus dampnum populi nostri fieri poterit secundum formam commissionum nostrarum eis sub magno sigillo nostro Hibernie inde faciendarum que contineant modum & formam providentiarum hujusmodi juxta tenores statutorum & articulorum predictorum faciendarum & specialiter illam clausulam *Si aliter fecerint fiat de eis sicut de latronibus* quodque fines seu dona ab aliis non recipiant ut eis parcant & aliogravent & quod nulla victualia seu res alie ad opus predictum per aliquas commissiones dictorum majorum ministrorum nostrorum sub sigillis suis set tantum per commissiones sub magno sigillo nostro Hibernie capiantur seu provideantur ut est dictum. Et volumus insuper quod provisiones hujusmodi fiant per deliberationem tam consilii nostri quam quorundam proborum & fidedignorum hominum de majoribus de vicinis partibus in quibus ipsi majores ministri nostri moram traxerint vel a quas eos contigerit declinare ut cessent in ea parte gravamina que populum nostrum fidelem Hibernie hactenus lacrimabiliter oppresserunt nolumus tamen ob honorem et reverentiam Dei sancteque matris ecclesie quod quicquam in ecclesiis aut ecclesiarum dotibus

tibus & feodis ad nostrum aut ipsorum ministrorum opus per  
 sos ministros nostros provisores seu quosvis alios contra volun-  
 tem prelatorum aut ecclesiasticarum personarum seu custodum  
 eorum & bonorum eorundem aliquoliter capiatur.

## CAP. V.

TEM cum propter defectum & desidiam dictorum majorum  
 ministrorum nostrorum pax nostra in diversis ejusdem terre  
 rtibus tam extra marchias quam in eis fuerit improvide custo-  
 dita per quod latrones malefactores & dicte pacis perturbatores  
 daciores effecti homicidia & robaries tam in terris pacis  
 tam in marchiis haectenus publice perpetrarunt & fines &  
 demptiones a diversis hominibus ut eos in pace dimitterent  
 egerunt & per comminationes de corporibus interficiendis &  
 amibus incendendis extorserunt sicque in diversis partibus ubi  
 & viguit facta est guerrina marchia & afflictio populorum vo-  
 lumus & districte precipimus quod justiciarius noster Hibernie qui  
 tunc est vel qui pro tempore fuerit in quolibet comitatu ubi les-  
 ones suas fecerit de hujusmodi homicidiis & homicidiis latro-  
 nibus & latrociniiis transgressoribus & transgressionibus ac hujus-  
 modi fines & redemptiones exigentibus & extorquentibus nec  
 on de illis qui dicuntur homines otiosi & malefactoribus qui  
 tam kernys dicuntur & eos ducentibus per quos populus fide-  
 sium diversarum partium opprimitur & destruitur & quamplures  
 eorum loca propria relinquere coarctantur sepe & sepius in anno  
 quisitiones faciat diligentes & subire justitiam indictatos si in-  
 gnationem nostram & debitam erga nos punitionem voluerit  
 vitare. Volumus insuper & precipimus quod residentes in pa-  
 tria ubi hujusmodi latrones & malefactores vagari & furta & la-  
 rocinia perpetrari continget illis de eadem patria de bonis suis  
 & predictis spoliatis & derobbatis satisfactionem exhibeant com-  
 tentem si hujusmodi latrones & malefactores cum clamore & hu-  
 sio profecuti non fuerint nec responderint de corporibus eorum  
 juxta formam statuti dudum apud Wynton editi & provisi. Et  
 custodes pacis in comitatibus dicte terre nostre Hibernie circa  
 executionem officii sui fuerint negligentes volumus & precipimus  
 eod de eorum negligentia & improvido gestu per justiciarium  
 nostrum Hibernie sepissime inquiratur & ipse eos per incarcerationem  
 corporum suorum & per fines nobiscum faciendum juxta  
 modum qualitatem & quantitatem culparum negligentiarum &  
 defectuum suorum puniat & castiget.

## CAP. VI.

TEM cum occasione cartarum de pardonatione feloniarum &  
 transgressionum per justiciarios nostros Hibernie qui haectenus  
 stiterunt generaliter & improvide concessarum seditiones ho-  
 cidia roberie latrocinia & transgressiones frequentius fuerint  
 perpetrata aliaque mala exinde innumera sunt secuta volumus &  
 precipimus quod carte hujusmodi de cetero non nisi in parlia-  
 mentis aut consiliis de assensu et deliberatione eorundem parlia-  
 mentorum & consiliorum consideratis personarum & maleficiorum

rum perpetratorum qualitatibus concedantur ita quod nulla generalis pardonatio inde fiat set specificentur & exprimentur in eisdem perpetrata felonie sive transgressiones juxta tenorem cujusdam statuti per nos & consilium nostrum Anglie editi & missi ad Hiberniam observand'.

## CAP. VII.

**I**TEM cum consilium nostrum Hibernie nonnullique prelati magnates communitates civitatum & villarum & alii etiam missi nuntii de Hibernia per literas & suggestiones nos & consilium nostrum in Anglia de diebus in dies certificaverint minus vere quod bona pax in dicta terra nostra Hibernie viguit & paces ubilibet sive in diversis marchis fuerant reformate quibus temporibus majora ex repentinis hostium invasionibus homicidia incendia depredationes marchiarum Anglicarum & alia incommoda quam guerrarum temporibus contingebant nosque de hujusmodi certificationibus confidentes defensiones aliaque remedia prout oportuit non providimus temporibus opportunis unde debilitantur diverse patrie & vastantur quas deceptiones & delusiones in certificationibus hujusmodi sub silentio transire non intendimus set punire volumus & sub gravi forisfactura nostra precipimus quod nulli de cetero prelati magnates communitates aut quivis alii nos & consilium nostrum in tali casu nisi de facti veritate ad procuraciones quorumcunque ministrorum nostrorum seu alia certificare pro evitandis futuris periculis audeant vel presumant quod si facere presumpserint eos si culpabiles inventi fuerint puniri pena debita faciemus.

## CAP. VIII.

**I**TEM cum per maria & alias diversas alligaciones & infantium nutrimenta inter Anglicos morantes in marchis & Hibernicis & per premunitiones & explorationes utrobique factas occasionebus supradictis infinite destructiones & mala alia hactenus evenerunt & expeditiones nostre & justitiariorum nostrorum ibidem nostro nomine tam in guerrinis actibus quam aliis commodiferis progressibus extiterant impeditae volumus & precipimus quod hujusmodi contrahenda inter Anglicos & Hibernicos matrimonia ceteraque private alligaciones & nutrimenta infantium cessent de cetero & penitus dimittantur & quod justiciarius noster Hibernie qui pro tempore fuerit de tempore in tempus de hujusmodi matrimoniis inter Anglicos & Hibernicos alligationibus infantium nutrimentis ac de adhesionibus premunitionibus & explorationibus hiis occasionebus faciendis si que de cetero contrahi vel fieri contingent diligenter inquireat & puniat secundum legem & consuetudinem terre nostre Hibernie deliquentes.

## CAP. IX.

**I**TEM cum majores constabularii & alii ministri stapule Hibernie colore statuti ejusdem stapule in placitis debitorum transgressionum & aliarum diversarum querelarum que mercimonia de stapula non concernunt & de antiquis actionibus dictam stapulam precedentibus sicut in negotiis & placitis de stapula cognoscant

agnoscant & processus faciant erroneos & injustos in dampnum populi nostri earundem partium valde grave volumus & prohibendo precipimus ne dicti majores constabularii aut alii ministri sine staple placita alia teneant nisi ea que ad eos pertinent secundum vim formam & tenorem statuti de staple suprascripti quod si fecerint dictus justiciarius noster de tempore in tempus inde inquirat & debite puniat excedentes.

## CAP. X.

TEM cum quidam ministri tam majores quam minores ac servientes in curiis nostris ibidem placitantes & quandoque clerici placearum non obstantibus statutis de cambipartibus editis iam propter munera & pacta quam mutuas conventiones inter ipsos & quosdam partium coram eis placitantium de terris placitatis cum recuperate fuerint habend' alteram partem manutenerint defenderint & juverint ita quod communiter terra hujusmodi placitata & per manutentionem & defensionem ministrorum & servientum predictorum errante justitia recuperata penes liquem eorum nichil provide solvendo vel modicum remaneat sicque partes terra sua fraudate factisque expensis circa ipsa placita perditis ad paupertatem vel statum miserum ducebantur volumus & precipimus & sub gravi forisfactura nostra & sub penis etiam in dictis statutis contentis districtius inhibemus ne hi ministri nostri majores vel minores servientes aut clerici quicunque hujusmodi manutentiones defensiones seu auxilia partibus hiis occasione contra justitiam faciant vel impendant nec hujusmodi terram placitam sic acquirant nec quicquam aliud attemptent contra formam statutorum eorundem.

## CAP. XI.

TEM cum brevia de debitis transgressionibus & alia etiam que coram justitiariis nostris ad communem legem placitari deberent in scaccario nostro Dublin' per brevia ejusdem scaccarii communiter placitentur per quod thesaurarius & barones nostri ac clerici de eodem scaccario circa hujusmodi placita intendentes impediti existant quo minus circa nostra & populi nostri negotia que ad officia sua in eodem scaccario de jure & consuetudine ejusdem scaccarii pertinent vacare possint per quod ipsa negotia in nostri & populi nostri grave dampnum indies retardantur volumus & firmiter inhibendo precipimus ne hujusmodi communia placita in dicto scaccario placitentur contra formam statuti inde editi & provisi & quod cancellarius ejusdem scaccarii hujusmodi brevia ad communem legem sub sigillo dicti scaccarii consignaverit vel consignari fecerit vel permiserit de contemptu nobis facto ac de gravamine parti illato coram justitiario nostro per breve nostrum vel per billam respondeat ut debet.

## CAP. XII.

TEM cum per falsas & minus veras suggestiones quorundam de Hibernia intercurrentium & labia habentium latrantia nuntiumque famam & opinionem bonorum ministrorum nostrorum

rum & aliorum fidelium in illis partibus tam per billas quam suggestiones non sine scandalo depravare per quod nostra & terre nostre negotia frequentius impetuntur volumus & ordinamus quod de cetero hujusmodi bille & suggestiones in scriptis redacte sub sigillo cancellarii Anglie pro tempore existentis ad justitiarium cancellarium & thesaurarium nostros Hibernie qui pro tempore fuerint transmittantur ut ipsi vocatis ad se aliis quos vocandos viderint in presentia dictorum intercurrentium sive broccatorum quos similiter ad Hiberniam remitti volumus de contentis in billis hujusmodi & suggestionibus predictis diligenter inquirent & si bille & suggestiones veritatem contineant defectus juste corrigant & emendent & si ipsi intercurrentes & broccatores falsa & mendacia suggererint pena debita puniantur ut pena ipsa exemplum aliis prebeat a talibus abstinendi.

## C A P. XIII.

**I**TEM licet in pacum reformationibus inter justitiarium nostrum Hibernie & Hibernicos super guerris hinc inde motis fuisset communiter expressatum quod de dampnis datis per injuriantes violatis pacibus vel factis per invasiones mutuis depredationibus fieret bonorum restitutio vel debita satisfactio dampna passis ipsi tamen justitiiarii circa satisfactionem hujusmodi injuriatis Anglicis impendendam hactenus insistere non curabant per quod dicti Anglici hactenus depreffi fuerant & ditati exinde hostes paces eo citius rumpere & depredationes ac alia dira mala facere satagebant volumus & firmiter precipimus quod justitiarium Hibernie qui pro tempore fuerit cum per paces & pacum tractatus seu alias ordinatum fuerit quod hujusmodi satisfactio fieret hinc & inde diligenter insistat & intendat ut fiat in casu hujusmodi mutua justitia & celeris satisfactio injuriam patientibus in hac parte.

## C A P. XIV.

**I**TEM cum vicecomites comitatum Hibernie nonnulla & diversa debita de viridi cera & alia currentia per summonitiones & extractus & alia in demandis de ballivarum suarum populis sepe & iteratis vicibus per graves distinctiones levaverint & nec se in compotis suis oneraverint nec solventes ad dictum scaccarium acquieverint in nostri grave dampnum & depressionem populi manifestam volentis remedium apponere in hac parte volumus & firmiter precipimus quod justitarius noster Hibernie pro tempore existens in singulis comitatibus in quibus suas fecerit sessiones diligenter videlicet ad minus semel in anno inquirent de hujusmodi debitis per ipsos de populo sive semel sive pluries vicecomitibus sic solutis videlicet tam de tempore preterito prout expedire viderit quam futuro & omnia hujusmodi debita que per tallias seu acquietantias dictorum vicecomitum aut subvicecomitum seu servientum eorundem com' generalium seu senescallorum vel ballivorum aut aliorum ministrorum vel per inquisitiones inde faciendas aut alio modo legitimo constare poterit eis per ipsos de populo soluta fuisse una cum nominibus recipientium & solventium irrotulari & in scriptis redigi &

rotulos illos sub sigillo suo ad scaccarium predictum mitti faciat ad effectum ut thesaurarius & barones de eodem scaccario inspectis rotulis ipsis scrutatisque rotulis ipsorum vicecomitum & aliorum ministrorum predictorum ibidem residentibus ac aliis rotulis & memorandis premissa tangentibus vocatis ipsis vicecomitibus ministris & aliis qui fuerint evocandi eisdem vicecomites & ministros de summis quas eos constare poterit sic lesasse & se in compotis suis aut alio modo non onerasse eosdem onerari & pro concealamentis in ea parte puniri & solventes inde ad idem scaccarium acquietari. Et si iidem debitores unum & idem debitum pluries solverint eosdem vicecomites & ministros seu eorum heredes aut executores ad restituendum illud ultra unam vicem receptum ipsis debitoribus eorum heredibus seu executoribus compelli faciat ut est justum. Et si justitiarius predictus circa hec vacare non poterit ex causis variis prepeditus volumus & precipimus quod tres vel duo de fidelioribus & equalioribus hominibus ipsorum comitatum per commissiones sub magno sigillo nostro quo utimur in Hibernia assignentur ad inquirendum & ad omnia alia in eodum articulo contenta faciendum & explendum in forma predicta.

## CAP. XV.

**I**TEM quamvis nonnulli debitores nostri debita sua ab eis exacta ad scaccarium predictum solverint & in magnis rotulis ejusdem scaccarii inde exonerati fuerint & quieti ipsi tamen debitores in rotulis rememoratorum ejusdem scaccarii unde exactio ipsorum debitorum processerit de ipsis debitis minime quietantur per quod ipsa soluta debita currunt quasi cotidie in remanda & ipsi quieti nichilominus pretextu exactioum de officiis rememoratorum exeuntium per graves distinctiones cum expensis & laboribus gravibus coacti ad dictum scaccarium ea occasione venire & placitare & summas graves pro scrutiniis in eisdem rememoratorum officiis faciendisolvere miserabiliter comprimunt volumus igitur & firmiter precipimus quod thesaurarius & barones de scaccario predicto injungant & faciant grossarios ejusdem scaccarii cum quicumque tales debitores de debitis in eisdem rotulis quieti facti fuerint illas quietantias statim predictis rememoratoribus ostendere & ipsos rememoratores in rotulis suis inde similiter exonerari & quietari sub gravi pena illis in quibus negligentia vel omissio in hac parte perpetrata fuerit per dictum justitiarium nostrum & alios de consilio nostro vel pecuniaria vel alia debita pro eorum moderamine imponenda.

## CAP. XVI.

**I**TEM cum quidam justitii nostri Hibernie diversos homines Hibernie majores & minores per brevia precepta billas & aliis modis voluntarie & absque indictamentis presentationibus seu debitis processibus arrestaverint ceperint & imprisonaverint in prisonisque obscuris & in ferris ligatos detinuerint donec per duritias imprisonamenta & inflictas penas fines & redemptiones cum ipsis justitiariis & eorum privatis consiliariis &

broccatoribus pro eorum voluntatibus ad ipsorum singulare & non nostrum commodum fecerint contra formam Magne Carte & aliorum statutorum nostrorum inde editorum & contra legem & consuetudinem dicte terre Ita quod per huiusmodi privatos consiliarios eorumque cupiditates & singularia sua commoda iura nostra & corone nostre ac commoda nostra sepius subtracta lesa subversa & perdita fuerint & etiam nonnulli tam indictati quam non indictati & imprisonati petierint a dictis justitiariis suas deliberationes secundum legem & consuetudinem dicte terre quas ad communem legem habere non poterant donec fines & redemptiones huiusmodi cum ipsis justitiariis & eorum privatis consiliariis ad opus suum & non nostrum precipiendos pro liberationibus suis ad communem legem habend' similiter fecerint & solverint vel inde eis securitatem fecerint unde reputaverint se contentos volumus & firmiter precipimus quod homines subditi nostri absque indictmentis presentationibus aut aliis debitis processibus contra formam carte & statutorum predictorum ac legem & consuetudinem supradictas per justitiarios nostros Hibernie qui pro tempore erunt seu eorum loca tenentes aut eorum precepta vel mandata seu billas nullatenus capiantur nec imprisonentur Et si contrarium factum fuerit tam pro tempore preterito quam futuro contra excedentes juxta deliberationem consilii nostri ad querelas gravatorum & conquerentium apponi opportunum remedium faciemus.

#### CAP. XVII.

**I**TEM cum per bonum & discretum ministrorum regimen terra & populus solidentur & prospere negotia peragantur sic per horum negligentiam & incuriam inperata procurantur adversa oriuntur injurie & expeditiones varie retrocedunt volumus & pro nostre terreque & populi nostri Hibernie utilitate publica ordinamus quod justitiarius noster Hibernie qui pro tempore fuerit assumptis sibi uno prelato & uno comite de vicinioribus partibus ubi subsequentes inquisitiones fieri debent ac cancellario & thesaurario ac quibusdam aliis de peritioribus justitiariis placearum & baronibus de scaccario ibidem quolibet anno circa anni medium per sacramentum proborum & legalium hominum tam clericorum quam militum aliorumque legalium hominum de comitatu Dublin' & aliis etiam si opus fuerit comitatibus dicte terre nostre Hibernie de gestibus & factis ministrorum nostrorum terre predictae cancellario thesaurario ac justitiariis de utraque placea & baronibus de scaccario predicto qui in suis placeis sunt iudices & reddunt judicia dumtaxat exceptis qualiter videlicet quilibet in officio suo se habeat & officium suum regat & justitiam vel injurias seu oppressiones vel gravamina aut dampna nobis aut ipsi populo nostro tam in partibus quam in placea sua colore officii sui seu commissionum regiarum sibi inde factarum faciat vel propter munera justitiam pervertat seu quenquam gravet ac de omnibus circumstantiis & aliis que nobis dampnum seu prejudicium & populo nostro injuriam generent vel gravamen diligenter inquireat & de hiis singu-

ingulis que sic per inquisitiones hujusmodi comperta fuerint nos & consilium nostrum in Anglia sub sigillo suo & sigillis sic assumptorum ac eorum etiam per quos facte fuerint certificet adilate injungentes eidem justiciario quod dictas inquisitiones in forma predicta annuatim capiat & nos inde certificet ut est dictum. Volumus insuper & precipiendo ordinamus quod dicti inferiores ministri nostri exceptis majoribus ministris ut predictum est videlicet eorum singuli in fine cujuslibet anni si opus fuerit ac etiam si cum remoti fuerint ab officiis suis statim post emotiones suas hujusmodi coram prefato justiciario & aliis assumendis predictis de excessibus suis & aliis supradictis tam ad nostram quam populi nostri & singularium personarum de eodem populo sectam respondeant & justiciam fubeant secundum legem & consuetudinem terre nostre Hibernie antedictae quod per dictum justitiarium fieri volumus & mandamus ac item justitarius & alii sibi assumpti nos & consilium nostrum in Anglia quotiens opus fuerit etiam certificent de statu ejusdem terre nostre & negotiorum nostrorum ibidem ac gestibus minorum predictorum.

## CAP. XVIII.

ITEM licet tam illi de Hibernia Anglici oriundi quam ipsi de Anglia nati & in Hibernia conversantes sint veri Anglici & sub nostris degant dominio & regimine & eisdem legibus jure & consuetudinibus utantur varie tamen dissensiones & mantenentie ratione nationis inter ipsos de Hibernia & illos de Anglia natos sunt suborte & fiunt hinc & inde unde nonnulla mala hactenus contigerunt & de futuris majoribus est timendum nisi super hoc remedium apponatur volumus & firmiter recipimus quod dictus justiciarius noster vocatis ad se cancellario & thesaurario nostris Hibernie ac quibusdam prelati & comitibus quos evocandos noverit cum in vicinis partibus fuerit de hujusmodi dissensionibus cum oriantur & mantenentiis ac de nominibus illorum hujusmodi dissensiones & mantenentias & se partes facientium sepe & sepius cum opus fuerit ferventer requirat & delinquentes servato processu debito cum inde convicti seu culpabiles inventi fuerint per imprisonamenta corporum & graves redemptiones nobiscum faciendas & alias prout justum fuerit puniat & castiget cum tales dissensiones & mantenentie non aliud sapiant quam scisma & divisiones ac proditioes quodammodo in populo nobis subdito procurare.

## CAP. XIX.

ITEM cum firmarii officii clerici mercati in Hibernia luca propria sitientes non dicti officii debitum juxta formam statuti inde editi nec alias rationabiliter exequantur set communiter pro finibus & aliis redemptionibus mensuras & alia instrumenta ad officium illud spectantia non vident nec examinant nec frangunt falsa nec bona consignant nec alias delinquentes debite puniunt & sepiissime fines nobis coram eis factos & amerciamenta ad nos pertinentia in rotulis suis inserta & irrotulata solutis eis pecunia aut muneribus aliis ab ipsis culpabilibus fines



& amerciamenta hujusmodi ad nos sic spectantia ab eorum rotulis vel radendo delent vel novos scriptos rotulos faciunt in quibus ipsa fines & amerciamenta sic deleta non scribunt set extra dimittunt & fines & amerciamenta facta & non irrotulata remittunt & alias falsitates extorsiones oppressiones gravamina & excessus tam nobis quam populo nostro in partibus illis quasi per totam Hiberniam faciunt & ea ac alia predicta fecerunt remiserunt & perpetrarunt in nostri contemptum & prejudicium & ipsius populi destructionem & injuriam manifestas ac contra justitiam & formam statuti predicti volumus & firmiter precipimus quod justitiarius noster Hibernie qui pro tempore fuerit in singulis comitatibus & partibus per quos transierit associatis sibi prelato loci & aliquo comite seu alio nobili vel milite eandem partium vicinarum de predictis falsitatibus extorsionibus oppressionibus gravaminibus & excessibus & omnibus supradictis per ipsos firmarios quomodolibet perpetratis & de ipsorum factis & gestibus in hac parte tam ad sectam nostram quam aliorum quorumcunque inde conqueri volentium tam de tempore preterito quam futuro inquiret & versus eos procedat & contemptus falsitates extorsiones oppressiones gravamina & excessus ac alia predicta audiat & terminet nec non delinquentes & culpabiles cum tales inventi fuerint castiget & puniat secundum legem & consuetudinem terre nostre Hibernie antedictas & nos & consilium nostrum in Anglia de nominibus sic culpabilium ac de falsitatibus extorsionibus oppressionibus & gravaminibus & aliis predictis sub sigillis ipsius justitarii & sibi associatorum distincte & aperte de tempore in tempus nichilominus certificet ex certa causa. In cujus &c. T. R. apud Westm. xxv die Octobr'.

Per ipsum Regem & Consilium.

Statutes made at *Westminster*, Anno 34 EDW. III  
and *Anno Dom.* 1360.

**T**HESE be the things which our lord the King, the prelates, lords, and the commons have ordained in this present parliament holden at Westminster the Sunday next before the feast of the conversion of St. Paul, to be holden and published openly through the realm.

**C**ES sont les choses que nostre seigneur le Roi prelatz seignurs & la commun ont ordinez en cest present parlement tenuz a Westminster le dymenge proſchein devant la feste de la conversion de Seint Poul a tenir & publier overtement parmy le roialme cestafavor.

## CAP. I.

*What sort of persons shall be justices of peace; and what authority they shall have.*

Primerement qe en chescun countee d'Engleterre soient assignez pur la garde de la pees par le seigneur & ovesqe lui trois ou quatre des meultz vauex du countee ensemblement ove certains sages de la ley & eient par de restreindre les meffieurs riotours & touz autres baratours & de les poursuivre a les prendre & chastier selonc leur trespas ou mesprison & de faire emprisoner & dument punir selonc la ley & custumes du roialme & selonc ce qils verront mieultz affaire par leur discretions & bon aviseement & auxint de eux enforcer & denquer de touz ceuz qui ont este pillours & robeurs es parties de dela & font de leur revenuz & vont vagantz & ne voillent travailler come ils soleient avant ces hours & de prendre & arester touz ceuz qui sont par suspectioun ou par suspicion & les mettre en prison & de prendre de touz ceuz qui sont de mauvaise fame ou ils serront trouvez suffisant seurete & mainprise de leur bon port devers le Roi & son poeple & les autres dument punir au fin qe le poeple ne soit par tieux riotours trouble nendamage ne la countee enblemy ne marchantz autres passantz par les hautes chemins du roialme destourbez ne abaiez du peril qe par avenir de tieux meffieurs & auxint doier & terminer a la suite le Roi tote manere de felonies & trespas faites en nescun countee selonc les custumes & custumes avantdites &

**F**IRST, That in every county of England shall be assigned for the keeping of the peace, one lord, and with him three or four of the most worthy in the county, with some learned in the law, (2) and they shall have power to restrain the offenders, rioters, and all other barators, and to pursue, arrest, take, and chastise them according to their trespas or offence; (3) and to cause them to be imprisoned and duly punished according to the law and customs of the realm, and according to that which to them shall seem best to do by their discretions and good advisement; (4) and also to inform them, and to inquire of all those that have been pillors and robbers in all the parts beyond the sea, and be now come again, and go wandering, and will not labour as they were wont in times past, (5) and to take and arrest all those that they may find by indictment, or by suspicion, and to put them in prison; (6) and to take of all them that be not of good fame, where they shall be found, sufficient surety and mainprise of their good behaviour towards the King and his people, and the other duly to punish, to the intent that the people be not by such rioters or rebels troubled nor endamaged, nor the peace blemished, nor merchants nor other passing by the highways of the realm disturbed, nor put

Who shall be justices of the peace, and what authority they shall have.

1 Ed. 3. stat. 2. c. 16.

2 Ed. 3. c. 6.

18 Ed. 3. stat. 2. c. 2.

13 R. 2. stat. 1. c. 7.

2 H. 5. stat. 1. c. 4.

c. 7.

2 H. 5. stat. 1. c. 4.

c. 4.

Justices of peace may hear and determine felonies and trespasses.

in the peril which may happen of such offenders. (7) And also to hear and determine at the King's suit all manner of felonies and trespasses done in the same county, according to the laws and customs aforesaid: (8) and that writs of *Oyer* and *Determine* be granted according to the statutes thereof made, and that the justices which shall be thereto assigned be named by the court, and not by the party. (9) And the King will, that all general inquiries before this time granted within any seignories, for the mischiefs and oppressions which have been done to the people

Commissions of general inquiries shall cease.

Fines for trespasses shall be reasonable.

by such inquiries, shall cease utterly and be repealed; (10) and that fines, which are to be made before justices for a trespass done by any person, be reasonable and just, having regard to the quantity of the trespass, and the causes for which they be made.

### CAP. II.

*No purveyance shall be made but for the King, the Queen, and the King's eldest son.*

There shall be no purveyance made but for the King, the Queen, and the King's eldest son, &c.

**I**TEM, it is accorded, That taking shall not be from henceforth made by other than the purveyors of the King, of the Queen, and of the prince their eldest son; and that if any other man's purveyors make such takings, it shall be done of them as of people which do without warrant, and their deed judged as a thing done against the peace and the law of the land; and such as do make themselves purveyors in such manner shall be duly punished.

36 Ed. 3. c. 2.

**I**TEM accorde est que prises desore ne soient faites par autres que par les purveours le Roi madame le Roine & le Prince leur eisme filtz & que si purveours des autres facent tieu prises soit fait de eux come des gentz qi fount sanz garaunt & leur fait jugge come chose faite contre la pees & la ley de la terre & soient tieux qi se fount purveours en la manere susdit duement puniz.

### CAP. III.

*When things purveyed for the Queen and Prince shall be paid for.*

When purveyances made for the Queen and prince shall be paid for.

**I**TEM, of purveyances made to the use of the Queen, and of the prince, of poultry and of other small things, payment shall

shall be made in hand upon the taking, and of other great purveyances within the month or six weeks, in the counties where they shall be taken. (2) And that the number of such purveyors be abridged in as much as conveniently may, for the aid and quietness of the common people.

## CAP. IV.

*What sort of people shall be returned upon every jury.*

**I**TEM por ce qe viscontes & autres ministres sovent arroyent leur panels en tote maniere denquestes des gentz procurez & plus lointifs du countee qi nont conaissance du fet dount lenqueste serra prise. Acorde est qe tieu paneles soient faites des plus profcheins gentz qi ne sont pas suspectes ne procurez & qe les viscontes coroners & autres ministres qi sont a lencontrer soient puniz devant les justices qi la dite enqueste prendra solonc la quantite de leur trespas sibien devers le Roi come devers le partie pur la quantite du damage qil ad suffert en tieu maniere.

**I**TEM, because that the sheriffs and other ministers often do array their panels in all manner of inquests of people procured, and most far off from the counties, which have no knowledge of the deed whereof the inquest shall be taken; (2) it is accorded, That such panels shall be made of the next people, which shall not be suspect nor procured; (3) and that the sheriffs, coroners, and other ministers which do against the same shall be punished before the justices that take the said inquest, according to the quantity of their trespasss, as well against the King as against the party, for the quantity of the damage which he hath suffered in such manner.

What sort of people the sheriff shall return upon every jury.

21 Ed. 1. stat. 1.  
28 Ed. 1. stat. 3.  
c. 9.  
20 Ed. 3. c. 6.  
42 Ed. 3. c. 11.  
Regist. 117.  
178.

## CAP. V.

*Auncel weight shall be put out. Buying and selling shall be by equal balance.*

**I**TEM est acorde qe ceux qi ferront assignez de garder la pees eient poair denquerre des mesures & auxint des pois selonc lestatut ent fait lan du regne nostre seignur le Roi vint & quint en quel est contenue la forme qe sensuit \* Porce qe &c. prout in stat. 25 Edw. 3. stat. 5. c. 9. vide ante fol. 55. tom. 2.

**I**TEM, it is accorded, That they which shall be assigned to keep the peace shall have power to inquire of measures, and also of weights, according to the statute thereof made the five and twentieth year of the reign of our lord the King, (2) wherein is contained the form that followeth: *Whereas very great damage, &c. as in 25 Edw. 3. stat. 5. c. 9. vide ante fol. 55. vol. 2.*

25 E. 3. stat. 5.  
c. 9.  
Justices of the peace shall inquire of weights and measures.  
Auncel weight shall be put out.  
Buying and selling shall be by equabalance.

## CAP. VI.

*All measures shall be according to the King's standard, &c.*

Ex edit. Raft.  
Measures.

Bushel.

Standard.

Purveyors.  
Justices.

**I**TEM, whereas it is contained in the Great Charter, that one measure be used through the realm, which charter hath not been holden well in this point before this time: it is accorded and assented, That all the measures, that is to say, bushel, half bushel, peck, gallon, pottle, and quart through England, with franchises and without, shall be according to the King's standard. And the quarter shall contain eight bushels by the standard and no more. And every measure of corn shall be striked without heap, saving the rents and fermes of lords, which shall be measured by such measure as they were wont in times past. And the purveyors of the King, the Queen, and of all other, shall make their purveyances by the same measure striked, and in the same manner. And that at all times, when need shall be, the King shall assign certain justices in every county of England, to enquire hear and determine upon the points aforesaid, and to make punishment thereupon according to every trespass, as well at the suit of the party as at the King's suit. So always that all manner of franchises be saved to the lords in all points, which things the King will that they shall be cried in every county, within franchise and without, betwixt this and the feast of *Easter* next coming, to the intent that they be holden and kept in all points. And that the said keepers of the peace inquire and punish all those whom they shall find to have done against the said statute, after the said proclamation made. And also the said proclamation shall be made in cities, boroughs, and towns enfranchised, that the said articles be holden and kept in all points, upon the pains contained in the statute, made the xxviii. year of our sovereign lord the King that now is, touching the city of London, and other cities and boroughs of the realm. And if they keep not the said articles, the King in their default shall do the same statute, made of the same pains, to be put in execution against them.

11H.7.c.4.  
Rep. by 21Jac.  
2.c.28.

## CAP. VII.

*An attaint will lie as well in plea real as personal.*

An attaint  
doth lie as well  
in plea real as  
in plea perso-  
nal.

**I**TEM, it is accorded against the falshood of jurors, That every man against whom they pass, may have attaint as well in plea real as personal; (2) and that the attaint be granted to the poor, which will assie, that they have nothing whereof to make fine (saving their countenance) without fine, and to all other by easy fine.

3 Ed. 1. c. 38.  
1 Ed. 3. stat. 1.  
c. 6.  
5 Ed. 3. c. 6, 7.  
28 Ed 3. c. 8.

**I**TEM acbrde est contre la fauline des jurours qe chescun homme contre qi ils passent puisse avoir latteint si bien en plee reale come personele & qe latteint soit grante as povres qi voillent assier qils nont riens de ent faire fin sauve lour contenance saunz fin & as touz autres par ease fin.

## CAP. VIII.

*The penalty of a juror taking reward to give his verdict.*

**I**TEM qe en chescun plee dount lenqueste ou lassise assise si aucun des parties voudra fuir vers ascuns des jurours il ad pris de son adverser ou de lui pur dire son verdict soit & eit sa plainte maintenant par bille devant les justices devant queux ils jurerunt & qe le jurour soit mis a respoudre sanz nul delai & sils pledent au pais qe enqueste soit pris maintenant. Et si nul homme autre qe la partie vodra fuyr sur le Roi vers le jurour soit & termine come dessus est dit. Et si le jurour soit atteint a fuite dautre qe a la partie & face fin qe la partie qe eust eit la moitie du fin & qe les parties au plee recoverent pour damages par taxation de lenqueste & qe le jurour issint atteint eit la prisonne dun an quel emprisonnement le Roi vante qe ne soit pardone pur nul fin. Et si la partie voudra sair par brief devant autres justices eit sa fuyte en la forme vaudite.

**I**TEM, That in every plea, whereof the inquest or assise doth pass, if any of the parties will sue against any of the jurors, that they have taken of his adversary, or of him, for to give their verdict, he shall be heard, and shall have his plaint by bill presently before the justices before whom they did swear, and that the juror be put to answer without any delay; (2) and if they plead to the country, the inquest shall be taken presently. (3) And if any man other than the party will sue for the King against the juror, it shall be heard and determined as afore is said. (4) And if the juror be attainted at the suit of other than the party, and maketh fine, the party that sueth shall have half the fine; (5) and that the parties to the plea shall recover their damages by the assessment of the inquest; (6) and that the juror so attainted have imprisonment for one year, which imprisonment the King granteth that it

The punishment of a juror taking reward to give his verdict.

shall not be pardoned for any fine. (7) And if the party will sue by writ before other justices, he shall have the suit in the form afore said.

5 Ed. 3. c. 10.  
38 Ed. 3. c. 12.  
Regist. 188.

## CAP. IX.

*The statutes of 23 Edw. 3. cap. 1. and 25 Edw. 3. stat. 1. cap. 1 and 2. touching labourers, carpenters, Masons, &c. confirmed.*

**I**TEM, it is accorded in this present parliament, That the statute of labourers of old times made, shall stand in all points, except the pecuniar pain, which from henceforth is accorded, that the labourers shall not be punished by fine and ransom. And it is assented, That the said statute shall be enforced in punishment of labourers, in the form following: that is to say, that the lords of towns may take and imprison them by fifteen days, if they will not justify themselves. And then to fend them to the

Ex edit. Rast.  
Labourers.

Mainprise.  
 Sheriff.  
 Jailour.  
 Workmen  
 and labourers.  
 Carpenters.  
 Mafons.

the next goal, there to abide till they will justify them, by the form of the statute. And that the sheriff, jaylor nor other minister shall not let them to mainprise nor bail, and if he do, he shall pay to the King ten pound, and to the party an hundred shillings: nor that the sheriff, jailour, nor other minister shall take no fee nor portorage of prioun, nor at his entering, nor at his going out, upon the same pain. And that as well carpenters and mafons be comprised of this ordinance, as all other labourers servants and artificers. And that the carpenters and mafons take from henceforth wages by the day, and not by the week, nor in other manner. And that the chief masters of carpenters and mafons take four pence by the day, and the other three pence or two pence according as they be worth. And that all alliances and covines of mafons and carpenters, and congregations, chapters, ordinances and oaths betwixt them made, shall be from henceforth void and wholly annulled: so that every mason and carpenter of what condition that he be, shall be compelled by his master to whom he serveth, to do every work that to him pertaineth to do, or of free stone, or of rough stone. And also every carpenter in his degree. *But it shall be lawful to every lord or other, to make bargain or covenant of their work in gros, with such labourers and artificers when please them, so that they perform such works well and lawfully according to the bargain or covenant with them thereof made.*

Rep. 5 Eliz. c. 4.

### CAP. X.

*The punishment of labourers, &c. departing from their service into another county.*

Ex edit. Rast.  
 Artificers.  
 Sheriffs.  
 Labourers.

**I**TEM, labourers and artificers that absent them out of their services in another town, or another county, the party shall have the suit before the justices, and that the sheriff take him at the first day, as is contained in the statute, if he be found, and do of him execution as afore is said, and if he return, that he is not found, he shall have an exigend at the first day, and the same pursue till he be outlawed, and after the outlawry, a writ of the same justices, shall be sent to every sheriff of *England*, that the party will sue to take him, and to send him to the sheriff of the county where he is outlawed, and when he shall be there brought, he shall have there imprisonment, till he will justify himself, and have made gree to the party: and nevertheless for the falsity he shall be burnt in the forehead, with an iron made and formed to this letter F. in token of falsity, if the party grieved the same will sue. But this pain of burning shall be put in respit till faint *Michael* next ensuing, and then not executed, unless it be by the advice of the justices. And the iron shall abide in the custody of the sheriff. And that the sheriff and some bailiff of the franchise be attending to the plaintiff, to put this ordinance in execution, upon the pain afore said. And that no labourer, servant, nor artificer shall take no manner of wages the festival days.

Burning in the forehead.

Wages.  
 Rep. 5 Eliz. c. 4.

## CAP. XI.

*a labourer or servant do flee to a city or borough, the chief officer upon request shall deliver him up.*

TEM qe si nul laborer servant ou artificer salloigne a un citee ou burgh & la parpleintif veigne au meir & bailifs & demande la livreee son servant qils lui facent la grece sanz delay. Et sils le usent de faire eit le pleintif suite devers les maire & bailifs devant les justices de borers & si de ce soient attantz paient au Roi x li. & a partie c s.

ITEM, if any labourer, servant, artificer, absent himself in any city or borough, and the party plaintiff come to the mayor and bailiffs, and require delivery of his servant, they shall make him delivery without delay. And if they refuse to do the same, the party shall have his suit against the mayor and bailiffs before the justices of labourers. And if they be thereof attainted, they shall pay to the King ten pounds, and to the party one hundred shillings.

Justices of labourers.  
Mayors.  
Bailiffs.  
Rep. 5 Eliz. c. 4.

## CAP. XII.

*There shall be no forfeiture of lands for treason of dead persons not attainted.*

TEM come la communalte se eit pleint des eschetours eux par colour de lour office ont seïz plusours terres tenementz come forfaites Roi pur treson surmys en rones mortes qe unques ne rent atteintes en lour vies le si en ad bon regard. Mes qe qil & ses progenetours t este seïziez des forfaitures guerre de tout temps le Roi se voet ouster de tiel droit sil il trova sa corone seïsi & sil droit voet continuer de aux forfaitures escheues en temps & en temps son piere la manere come ad este ee nientmeins de sa grace speciale il voet & grantte qe tieux forfaitures escheues en temps son ael & touz les progenitours pardevant a pluost qenquest ent serra returne en chancellerie par eschetour

ITEM, whereas the commons have complained them of escheators, which by colour of their office have seised divers lands and tenements as forfeit to the King for treason surmised in dead persons, which were never attainted of treason in their lives, the King therewith hath good regard; (2) but because he and his progenitors have been seised of the forfeitures of wars of all times, the King will not exclude himself of such right, whereof he found his crown seised, and will continue his right of such forfeitures fallen in his time, and in the time of his father, in the manner as hath been used: (3) nevertheless, of his special grace, he will and granteth, that of such forfeitures fallen in the time of his grandfather, and all his progenitors before, as soon as an inquest shall be thereof returned in the chan-

3 Inst. 12.  
There shall be no forfeiture of lands for treason of dead persons not attainted in their lives.  
Consid. on law of forfeit, 45. 97.



chancery by the escheators, or other which have power to inquire, that the tenant shall not be put out of his possession, but shall be warned by *Scire facias*, to be at a certain day to answer to his *Scire facias*, if he will. (4) And if any such forfeiture be now, or shall be seized of the same time, that the King's hand shall be out thereof; (5) so always, that in all other cases of forfeiture for treason of dead persons not attainted or judged in their lives, their heirs, nor their land-tenants shall not be impeached nor challenged, nor of any other forfeiture, except the forfeitures in old time judged after the death of the persons by presentment in eyre, or in the King's bench, as of felons of themselves and other.

Forfeiture of  
dead persons  
by present-  
ment in eyre,  
or in the  
King's bench.

chetour ou autre qi poair ad denquere qe le tenant ne soit pas ouste de la possession mes soit garny par Scire facias de stre au certain jour de respoundre a cel Scire facias fil voudra. Et si nulle tiele forfaiture soit ore ou sera seise de cel temps qe la main le Roi ent soit ouste issint toutes voies qen touz autres cas de forfaiture de trefon des personnes mortz nient atteintz ne juggez en lour vies ne soient pas lour heires ne lour terre tenantz empeschez ne challengez ne de nulle autre forfaiture forsprises les forfaitures auncienment ajugez apres la mort des personnes par presentementz en eyre ou en baunk le Roi come des felons de soi & autres.

### CAP. XIII.

*By what sort of people, and in what place and manner, an escheator shall take his inquest.*

Dyer, 169, 170.  
By what sort  
of people in  
what place  
and manner  
an escheator  
shall take his  
inquest.

**I**TEM, it is accorded, That every escheator shall take his inquests of his office of good people and lawful, which be sufficiently inherited and of good fame, and of the same county where the inquiry shall be; (3) and that the inquests so taken be indented betwixt the escheators and the jurors; (3) and if it be otherwise done, that such inquests be holden for void. And the King will, that such inquests be taken in good towns openly, and not privily.

36 Ed. 3. c. 13.  
23 H. 6. c. 17.  
1 H. 8. c. 8.  
3 H. 8. c. 2.

**I**TEM acorde est qe chescun eschetour preigne ses enquestes de son office des bones gentz & loialx qe soient enheritez sufficealment & de bone fame & de mesme le countee ou lenquerre se ferra & qe les enquestes issint prises soient endenteez entre les eschetours & les jurours & si autrement soit fait qe tieles enquestes soient tenus pur nulles. Et le Roi voet qe tieles enquestes soient prises en bones villes overtement & nemie en prive.

## CAP. XIV.

*What court traverses of offices found before escheators shall be tried.*

ITEM, it is accorded, That where lands or tenements be seised into the King's hand by office of the escheator, containing that the King's tenant made thereof alienation without the King's licence, or that the King's tenant by knights service died seised of the lands and tenements aforesaid in his demesne as of fee, and his heir within age; (2) and after the cause certified to the chancery, and he whose lands be seised come into the chancery, and will traverse the office, which was first taken by the King's commandment, and that the said lands be not seisable: he shall be thereto received, (3) and the process shall be sent into the King's bench to try according to the law, and further to do right.

Traverses of offices found before escheators shall be tried in the King's bench.  
4 Co. 56.  
36 Ed. 3. c. 13.  
2 & 3 Ed. 6. c. 8.  
12 Car. 2. c. 24.

## CAP. XV.

*Confirmation of those alienations which the tenants of King Henry the third, &c. did make.*

ITEM, it is accorded, That the alienations of lands and tenements made by people which did hold of King Henry, great grandfather to the King that now is, or of other Kings before him, to hold of themselves, that the alienations shall stand in their force, saving always to our lord the King his prerogative of the time of his grandfather, his father, and of his own time.

Those alienations which the tenants of King H. 3. and other Kings before him did make confirmed.  
12 Car. 2. c. 24.

## CAP. XVI.

*Non-claim of fines shall hereafter be no bar.*

ITEM est acorde qe plec de nonclaym des fins qe sont before a lever ne soit pris ne teuz pur barre en temps avenir.

ITEM, it is accorded, That the plea of *nonclaim* of fines, which from henceforth be to be levied, shall not be taken nor holden for any bar in time to come.

Nonclaim of fines shall be no bar hereafter.  
Co. lit. 262. a.  
Vid. 4 H. 7. c. 24.  
31. H. 8. c. 36.

## CAP. XVII.

*Merchandises may be carried into and brought out of Ireland.*

ITEM acorde est qe touz marchantz sibien aliens come denzeins puissent venir en lande ove leur marchandises dilloques retourner franchiseent ove leur marchandises & tailles saunz fin ou rauncien rendre de eux sauve totesfoits a Roi ses aunciens custumes autres devoirs.

ITEM, it is accorded, That all the merchants, as well aliens as denizens, may come into Ireland with their merchandises, and from thence freely to return with their merchandises and victuals without fine or ransom to be taken of them, saving always to the King his ancient customs and other duties.

Merchandises may be brought into and carried out of Ireland.

## CAP. XVIII.

*They which have lands in Ireland, may carry their goods thither, and bring them again.*

They who have lands in Ireland may carry their goods thither and bring them again.  
17 Ed. 1. c. 3.

**I**TEM, That the people of *England*, as well religious as other; which have their heritage and possessions in *Ireland*, may bring their corn, beasts, and victuals to the said land of *Ireland*, and from thence to recarry their goods and merchandises into *England*, freely without impeachment, paying their customs and their devoirs to the King.

Repealed as to cattle, by  
18 Car. 2. c. 2.

**I**TEM qe gentz d'Engleterre fibien religoufes come autres qont lour heritages & possessions en Irlande puissent mener lour bledz bestes & vitailles a la dite terre d'Irland & dilloquet remener lour biens & merchandises en Engleterre franchisement & saunz empeschement paient lour custumes & autres devoirs au Roi.

## CAP. XIX.

*No custom or subsidy shall be paid for canvas to pack wool in.*

No custom or subsidy shall be paid for canvas to pack wool in.

**I**TEM, because that merchants, aliens, and denizens, by an evil custom risen of late, have been constrained to pay custom and subsidy for their canvas, with which their wools be packed; (2) it is accorded, That such canvas with their corners shall from henceforth be allowed to them without paying custom or subsidy for the same.

**I**TEM porce qe les marchantz aliens & denizens par une malveise custume levee de novel ont este constreintz de paier custume & subside pour lour canevas deins quel lour leines sont packes acorde est qe tieu canevas ensemblement ou lour corners lour soient de force allowes sanz ent paier custume ou subside.

## CAP. XX.

*No corn shall be transported but to Calais and Gascoign.*

Passage of corn.  
Rep. by  
21 Jac. 1. c. 28.

**I**TEM, it is accorded, That the passage of corn shall be defended in all the parts of *England*, so that none have license nor warrant to pass with such corn in any wise, unless it be to *Calais* or *Gascoign*, or to other special places, which it behoveth that the King do to be garnied of the corn of *England*, and that at his own ordinance.

## CAP. XXI.

*A confirmation of a former grant to denizens to transport wool beyond sea.*

**I**TEM, whereas in the parliament late made upon the ordinance of the staple in *England*, it was ordained, That merchants aliens should bring wools and other merchandises of the staple over the sea, and that no merchant denizen should make passage of them. And after by the assent of the King and of his counsel for certain enchesons, passage was granted of the said merchandises of denizens, and thereupon proclamation made and sent to the customers to divers ports, to suffer them to pass

Passage of wools.

a certain time, paying the customs and subsidies as aliens, because that the said merchants deniens doubteth them to impeached in time to come for their merchandise, which they use so passed by virtue of such grant and proclamation, foras- much as they were made out of the parliament: the King will- eth to provide for their surety in this behalf, hath ratified and affirmed in this present parliament the passage that they have made of wools, and of their other merchandises to the parts be- yond the sea, after the grant and proclamation aforesaid. And giveth to them such passage from henceforth without challenge or impeachment of any, so always that they pay the same cus- tom and subsidy till St. Michael next coming, as they have pay- ed before this time after that the said subsidy was granted.

## CAP. XXII.

*How he shall use another man's hawk that taketh it up.*

TEM ordine est en cest parlement que queconque per- tene ou laneret aufstoure ou autre faucoun que soit perdu de son seigneur que maintenant il rapporte au viscount du countee que le viscounte face proclamation en toutes les bones villes du countee qil ad un tiel fau- coun en garde. Et si le seigneur qui le perdi ou aucun des gens viegne pur lui chalanger et provee resonablement que ce n'est pas son seigneur paie pur ses costages & eit le faucoun. Et null y viegne deins les quatre mois pur lui chalenger qadon- ce le viscounte eit le faucoun fait gree a cellui qui le prist sil est simple homme & sil soit gentil homme destat d'avoir faucoun que le viscounte rebaille a lui le dit faucoun parnant de costages resonables coustages pur le temps qil lavoit en garde. Et null eit pris tiel faucoun & le viscounte du seigneur a qui il estoit a ses fauconers ou qui le mem- ore du seigneur & de ce soit teint eit la prison de deux ans & rend au seigneur le pris du faucoun issint concele ou rapporte sil eit de quoi & si

ITEM, it is accorded in this present parliament, That every person which findeth a falcon, terecelet, laner, or laneret, or other hawk that is lost of their lord, that presently he bring the same to the sher- riff of the county, and that the sheriff make proclamation in all the good towns in the coun- ty, that he hath such a hawk in his custody. (2) And if the lord which lost the same, or any of his people come to challenge it, and proveth rea- sonably that the same is his lord's, let him pay for the costs, and have the hawk. (3) And if none come within four months to challenge it, that then the sheriff have the hawk, making gree to him that did take him, if he be a simple man; and if he be a gentleman, and of estate to have the hawk, that then the sheriff redeliver to him the hawk, taking of him rea- sonable costs for the time he had him in his custody. (4) And if any man take such hawk, and the same conceal from the lord whose it was, or from his falconers; or who- soever taketh him from the

In what sort one man's hawk taken up by another shall be used.

lord, and thereof be attained, shall have imprisonment of two years, and yield to the lord the price of the hawk so concealed and carried away, if he have whereof, and if not, he shall the longer abide in prison.

37 Ed. 3. c. 19.

An ordinance of herring, made *Anno 35 EDW. III.*  
and *Anno Dom. 1360.*

*All persons may buy herring in the fair at Yarmouth openly, and not privily. No man shall enter into a bargain of herring until the first chapman have done with it.*

A rehearsal of the statute of 37 Ed. 3. stat. 2. c. 1, 2. and the inconveniences thereof.

**T**HOUGH that late at the procurement of some doing us and our council to understand, that because that the hosts of our town of great Yarmouth, which lodge the fishers coming there with their herring, in the time of the fair, will not suffer the said fishers to sell their herrings, nor to meddle with the sale of the same, but sell them at their own will as dear as they will, and give the fishers that pleaseth them, so that the fishers do withdraw themselves to come there, and the herring was set at a greater dearth than it was before: (2) among other things it was ordained by us and our council, that the said fishers of herring should be free to sell their herring to all people that will come to the said fair of Yarmouth, without any disturbance of their hosts or any other. (3) And when the said fishers would sell their merchandises in the port, they should have their hosts with them, if they would be there, and in their presence, and in the presence of other merchants, openly should sell their merchandises to whom they pleased; (4) and if other merchants present would have part of the said merchandises, every of them should have for his part upon the taking after the rate of the same merchandises so sold; (5) and the said sale shall be made from the

\* Price.

**E**DWARD par la grace de Dieu Roi d'Engleterre seigneur d'Irlande & d'Aquitaine a touz ceux as queux cestes lettres vendront salut. Coment que nadgairs a procurement d'aucuns fesantz entendre a nous & nostre conseil que par cause que les hostes de nostre ville de grande Jernemuth qui herbergent les pescheours venantz illoeqs od leur harang en temps de feire ne voleient soeffrir les ditz pescheours vendre leur harang ne meller de la vente d'icelle eins le vendent a leur volente demesme si chier come ils voleient & donerent as pescheours ce que leur plust si que les pescheours se retreherent de venir illoeqes & le harang feust mys a plus grant chiertee que devant ne feust entre autres choses ordonne estoit par nous & nostre conseil que les ditz pescheours de harang ferroient francs de vendre leur harang as toutes gentz que vorroient venir a la dite faire de grand Jernemuth sanz nulle desturbance de leur hostes ou autres queconques & quant les ditz pescheours voudroient vendre en port leur merchandises averoient leur hostes ovefque eux sils y voudroient estre & en leur presence & en presence d'autres marchantz

marchantz en apert vendroient  
 leur marchandises a qi que leur  
 lust & si autres marchandz  
 presentz voudroient avoir part  
 les dites marchandises chescun  
 veroit ent sa part pur le pris  
 alonge lasserant de mesmes les  
 marchandises issint vendues &  
 croit la dite vente faite de so-  
 lail levant tanqe a solail rescours  
 & nemie devant napres & que  
 nul hoste nautre nachaterait  
 harang pur pendre en meson  
 par covine nen autre manere  
 plus haut le last de quarant soldz  
 & nientmeinz pur ceo que mon-  
 tre est a nous & a nostre con-  
 cil par petition en cest present  
 parlement que la vente de harang  
 est mout encherri & le poeple  
 tantement endamage per les  
 pointz susditz cest assavoir que  
 plusieurs marchantz venantz a la  
 sire sibien laborers & servantz  
 come autres bargainent le ha-  
 rang & chescun de eux par ma-  
 ce & par envie encrest sur au-  
 tre & si un profre quarant soldz  
 nautre profre dys solds plus &  
 tiercz seifant soldz & issint  
 chescun surmounte autre en le  
 bargaine & tiels profres se ex-  
 tendent a plus que le pris del  
 harang pur quel le pescheour  
 entendist a vendre a comence-  
 ment & quant chescun que cla-  
 rera part del harang pur le pris  
 corde avera sa part & le harang  
 sera issint reparti entre eux le  
 pescheour est tante greve & ta-  
 le pur la coillet de son argent  
 quel il demanderoit des tantes  
 persones qil perde ses marrez &  
 advantage de sa pescherie & aus-  
 si en ceo que nul harang fresch  
 ne soit mis a vent fors de solail  
 levant tanqe a solail rescours &  
 nout pas devant napres ceo est  
 grantte perte des pescheours  
 & apeirement del harang & da-  
 nage du poeple que lachata qar

*the sun-rising till the sun going  
 down, and not before nor after;*  
 (6) *and that no hostelers, nor other,*  
*buy herring to hang in his house*  
*by covin, nor in other manner, at*  
*an higher price the last than forty*  
*shillings: (7) nevertheless, be-*  
*cause it is shewed to us and to our*  
*council by petition in this present*  
*parliament, that the sale of her-*  
*ring is much decayed, and the peo-*  
*ple greatly endamaged by the points*  
*asorefaid, that is to say, that ma-*  
*ny merchants coming to the fair,*  
*as well labourers and servants, as*  
*other, do bargain for herring, and*  
*every of them by malice and envy*  
*increase upon other, and if one*  
*proffer forty shilling, another will*  
*profer ten shillings more, and the*  
*third sixty shillings, and so every*  
*one surmounteth other in the bar-*  
*gain, and such proffers extend to*  
*more than the price of the herring*  
*upon which the fishers proffered it*  
*to sell at the beginning: (8) and*  
*when every man claimeth his part*  
*of the herring for the price accord-*  
*ed, he shall have his part, and the*  
*herring shall be so divided amongst*  
*them, that the fisher is so much*  
*grieved and delayed in the gather-*  
*ing of his money, that he should*  
*demand of so many persons, that he*  
*leeseth his mart and the advan-*  
 † *Tides.*  
 † *tage of his fishing; (9) and also*  
 † *herein, that no fresh herring is put*  
 † *to sale but from the sun-rising till*  
 † *the sun going down, and not before*  
 † *nor after, which is to the great*  
 † *loss of fishers, and appairing of the*  
 † *herring, and damage of the people*  
 † *that shall buy the same; for the*  
 † *fishing is more by night than by*  
 † *day, and often it chanceth, that*  
 † *the fishers be so long and so charged,*  
 † *that they come to the town after*  
 † *sun going down, or little before,*  
 † *so that they cannot sell their her-*  
 † *ring in the time for the sale limi-*  
 † *ted, so that they must abide all the*  
 † *night*

†Tides.

All persons may buy herring in the fair-time at greath Yarmouth, openly, and not privily.

No man shall enter into a bargain of herring until the first chapman hath done with it.

A fisher may sell his herring at any time when he cometh with it.  
‡Tide.

night and the day after upon the sale of their herring, and lose many mart and profits of their fishing: (10) we perceiving the mischiefs and grievances aforesaid, by the advice and assent of our parliament, will and grant, that it shall be lawful to every man, of what condition that he be, merchant or other, to buy herring openly, and not privily, at such price as may be agreed betwixt him and the seller of the same herring; (11) and that no man enter in bargain upon the buying of the same till he that first cometh to bargain shall have an end of his bargain agreeable to the seller, and that none increase upon other during the first bargain, upon pain of forfeiture to us the double of his proffer, but every man shall have the herring so bought according to the bargain thereof made. (12) And that every fisher may deliver and sell his herring and fish at every mart, when he cometh to the said town of *great Yarmouth*, without any disturbance or impeachment, notwithstanding any ordinance made to the contrary before this time. In witness whereof we have caused these our letters patents to be made. Given at *Westminster* the twentieth day of *February*, in the five and thirtieth year of our reign of *England*.

nance de quelle chose nous avons fait faire cestes noz letters patentes. Don' a Westminster le vintisme jour de Fevrier lan de nostre regne trente. quint.

le pescherie est plus par nuyt que par jour & sovent avient que les pescheours sont si loins & si chargez qil vieignent a la ville apres le solail rescours ou poi devant issint qils ne purront leur harang vendre au temps sur ceo limite si que il leur couviendra demorer tout la nuyt & le jour apres sur la vente de leur harang & perderont plusieurs marrez & le profit de leur pescherie nous attendantz les grevances & meschiefs avantditz par avis & assent de nostre dit parlement volons & grantons que bien lise a chescun homme de quel condition qil soit marchand ou autre dachatre harang en apert et non pas privement a tiel pris come purra estre acorde entre lui & le vendour de mesme le harang & que nul entre en bargain sur lachate de harang tant come celui que vient primer pur bargainer avera fini son bargain greable a vendour & que nulli profre encrees sur autre durant le primer bargain sur peine de forfaire devers nous le double de son profre mes eit chescun le harang issint achate solom son bargain ent faite. Et que chescun pescheour peusse vendre & deliverer son harang & pesson a chescun marre quant il viendra a la dite ville de grande Jernemuth sanz ascun destourbance ou empeschement nient contrestant nulle ordenance avant ces heures faite au contraire. En tesmoigne-

Per ipsum regem & concilium in parlamento.

Statutes made at *Westminster*, Anno 36 EDW. III.  
stat. 1. and *Anno Dom.* 1362.

**A**L honour & pleissance de  
Dieu & amendement des  
outraites grevances & oppres-  
sions faitz au poeple & en re-  
vivement de leur estat le Roi  
EDWARD a son parlement tenuz  
Westmonstier a la quinzime  
eint Michel lan de son regne  
rente sisme a la requeste de sa  
commune par leur petitions  
aillees a lui en le dit parle-  
ment par assent des prelatz  
des countes barons & autres  
granz au dit parlement assem-  
blez ad graunte pur lui & ses  
heirs a touz jours les articles  
suivescriptz.

**T**O the honour and pleasure  
of God, and amendment of  
the outrageous grievances and op-  
pressions done to the people, and in  
relief of their estate, (2) King  
EDWARD at his parliament hold-  
en at Westminster, in the fiftenth  
of St. Michael, the six and thir-  
tieth year of his reign, at the re-  
quest of his commons by their pe-  
tition delivered to him in the said  
parliament, by assent of the prelates,  
dukes, earls, barons, and other  
great men in the said parliament  
assembled, hath granted for him  
and his heirs for ever the articles  
underwritten.

### CAP. I.

*A confirmation of all former statutes.*

**P**remierement que la Grand  
Chartre & la Chartre de la  
Foreste & les autres estatutz  
faitz en son temps & en temps  
de ses progenitours soient bien  
& fermement tenuz & gardez  
a touz pointz.

**F**IRST, That the Great  
Charter and the Charter of  
the Forest, and the other sta-  
tutes made in his time, and in  
the time of his progenitors, be  
well and surely holden and  
kept in all points.

A confirma-  
tion of former  
statutes.

### CAP. II.

*No purveyance but for the King and Queen. The name of  
purveyor changed into buyer. Ready payment shall be  
made of things purveyed, and they shall be appraised.*

**T**EM, for the grievous complaint which hath been made of  
purveyors of victuals of the houses of the King, the Queen,  
their eldest son, and of other lords and ladies of the realm, the  
King of his own will, without motion of the great men or com-  
mons, hath granted and ordained in ease of his people, that from  
henceforth no man of the said realm shall have any taking, but  
only himself and the Queen his companion. (2) And more-  
over of the assent aforesaid it is ordained and established, That up-  
on such purveyances from henceforth to be made for the houses  
of the King and the Queen, ready payment shall be made in  
hand, that is to say, the price for which such victuals be sold  
commonly in the markets about. (3) And that the heinous  
name of purveyor be changed, and named buyer. (4) And if  
the buyer cannot well agree with the seller of that which he shall

No purvey-  
ance shall be  
made but for  
the King and  
the Queen.

34 Ed. 3. c. 2.

The heinous  
name of pur-  
veyors shall be  
changed, into  
that of buyers.



By whom and in what manner appraisment shall be made of things purveyed for the King's house.

No purveyance shall be by menace. No purveyance, but where there is plenty.

The purveyors shall be men sufficient of estate.

Commissions of purveyors shall be renewed every half year. None shall need to obey purveyors without ready payment.

Corn purveyed shall be struck, and not heaped in measuring. Present payment shall be made for carriage.

Felony to take otherwise than is comprised in the commission.

28 Ed. 3.

stat. 3 c. 2.

4 Ed. 3. c. 3.

5 Ed. 3. c. 2.

10 Ed. 3. stat. 2.

c. 1. 25 Ed. 3.

need, then the takings which shall be made for the said two houses, shall be made by the view, testimony, and appraisment of the lords, or their bailiffs, constables, and four good men of every town, and that by indenture to be made betwixt the buyers and the said lords or bailiffs, constables and four men, containing the quantity of their takings, and of the price, and of what persons. (5) And that the takings be made in convenient and easy manner, without dures, compulsion, menace, or other villany. (6) And that the takings and buyings be made in such places where greatest plenty is, and that in a meet time. (7) And that no more be taken than shall be needful in the season for the said two houses. (8) And that the number of the buyers be diminished in as much as well may. And that such be buyers which be sufficient to answer to the King and his people, and that none of them have deputy, and that the commissions be sealed with the great seal, and every half year redelivered into the chancery, and other newly made: (9) And that in the said commissions be comprised all the matter and manner of their takings and buyings. And that the said commissions be made upon the end of the said parliament, and then all the other commissions or purveyors heretofore made, be wholly repealed. (10) And that no man be bound to obey to the buyers of other lords against their agreement and will, nor to the buyers of the said houses, unless they make ready payment in hand, as before is said: and that no man be put in contempt because of disobedience made in this behalf: (11) and that the takings of all manner of corn and malt for the said two houses, be measured by measure according to the standard, struck, and not by heap: (12) and for the carriages of the said corn and malt, and for all manner of takings and buyings to be made for the said two houses, ready payment be made in hand in the same manner as for the takings and buyings aforesaid. (13) And that there be no more carriage taken than needeth, and shall be necessary in this behalf: (14) and if any buyer after the new commissions made, make any takings or buying, or taking of carriage in other manner than is comprised in their said commissions, he shall have punishment of life and member, as in other statutes is ordained of purveyors.

c. 1. 25 Ed. 3. stat. 5. c. 1, 6, 15. 23 H. 6. c. 1, 2. 12 Car. 2. c. 24.

### C A P. III.

*The penalty of a purveyor which shall receive a reward to spare or charge one.*

The penalty of a purveyor, which shall take a reward to spare one and charge another,

**I**TEM, That no buyer of victuals, nor takers of carriages, take nor receive of any a gift or any other thing for sparing to be made, nor shall not charge nor grieve any man by occasion of such takings, buyings and carriages, for hatred, evil will, or procuring: (2) if he do, and be thereof attainted at the suit of the party, he shall yield to the party his treble damage, and shall have imprisonment of two years, and also be ransomed at the

the King's will, and after forswear the court. (3) And if the party will not sue, he that will sue for the King shall have the third peny of that which shall be recovered for his labour, and nevertheless the buyer and taker shall have the pain as afore is said in the same article; (4) and that every buyer upon his ocompt shall declare and divide severally all the takings and buyings of every county, town, village, and person.

## CAP. IV.

*Commissions shall be awarded to enquire of purveyors behaviour.*

**I**TEM, To restrain the malice and falshood of buyers of victuals and takers of carriages, commissions shall be made to two good men and lawful, of every county, and the third shall be of the King's house, named in the said commissions, so that if any of the three come not, the two shall proceed to enquire of the behaviour and acts of the said buyers and takers, And how much the same buyers have taken and bought, and how much carriage the said takers have taken severally of every town or singular persons, and to hear and determine the contempt, outrages, and trespasses done in this behalf, as well at the King's suit, as at the suit of every man that will complain of them. (2) And for information to be made to the said justices of the things aforesaid, the steward, treasurer, and controller of every of the said two houses, shall assemble and call before them all the clerks and other officers whatsoever they be, of every office of the said two houses, and shall see the receipts of the parcels provided in the country and dispended in the said two houses. (3) And at every quarter or half year, they shall certify in the chancery the parcels taken in every town, and of every person, and the chancellor shall send this certificate to the justices which shall be so assigned. (4) And if it be found in the country by evidence of their indictors, or in other manner, that they have taken more than they have delivered into the said two houses, and that they have not paid for that which they have taken, at the suit of the party, or at the King's suit, he shall have pain of life and member, as afore is said. (5) And that this ordinance extend and hold place as well against the purveyors for the great horses of the said two houses, as against the buyers and takers before-named.

<sup>12 Car. 2. c. 24.</sup>  
Commissions awarded to inquire what purveyors have taken, and what they have delivered.

<sup>4 Inst. 166.</sup>

Purveyors for great horses.

## CAP. V.

*None shall keep any more horses for the King than be assigned unto him.*

**I**TEM, That no man of the said two houses, hold more of the said horses in the livery, where these houses shall be, than is ordained by a statute of the King's house. (2) And if any do otherwise, it shall be done to him for the horses found over the number limited to him by the said statute, as the statute will. (3) And that no man of the same two houses, of

None shall keep more horses of the King's than be committed to him.

<sup>14 Ed. 3. c. 19.</sup>

The King's  
hunters,  
faulkners, and  
serjeants at  
arms.

what estate or condition that he be, hath purveyor or foregoer, to make any purveyance or taking for any man of the said two houses, but that they or their people buy that which they need, of them that will sell the same of their good will, and pay readily in hand, according as they may agree with the sellers: and if they do otherwise, such punishment shall be made upon them, as afore is said of the buyers. (4) And that hunters, faulkners, serjeant at arms, and all other which be at wages or pertaining to the said two houses, shall have the same penance if they offend against the same.

### CAP. VI.

*No subject's chator shall buy any thing against the owners consent.*

It is felony for  
any subject's  
chator to buy  
any thing, but  
by the consent  
of the owner.

**I**TEM, That no lord of *England*, nor none other of the said realm, of what estate or condition that he be, except the King and the Queen his wife, shall make any taking by him, or any of his servants, of any manner of victuals, but shall buy the same that they need, of such as will sell the same of their good will, and for the same shall make ready payment in hand, according as they may agree with the seller. (2) And if the people of lords, or of other, do in other manner, and thereof be attainted, such punishment of life and of member shall be done of them, as is ordained of the buyers.

7 R. 2. c. 8.  
23 H. 6. c. 14.

### CAP. VII.

*Of what things the mayor and constable of the staple shall take cognisance.*

Of what things  
only mayors  
and constables  
of the staple  
shall take cog-  
nifance.

**I**TEM, though it be ordained by the statute of the staple, That the mayors and constables of the said staples shall have jurisdiction and cognifance within the towns where the staples be, of the people and of all manner of things touching the staple, and of felonies, mayhems, and trespasss done within the staple: (2) it is accorded and assented, That the said mayors and constables shall have cognifance only of debts, covenants and contracts, and all other pleas touching merchandize and surety of merchandize betwixt merchants which be for merchants known; (3) and proces of felonies, and all other pleas, as well within the staple as without, shall be at the common law, as they were before the statute of the staple, notwithstanding the said statute: (4) saving always, That the merchants aliens (be they plaintiffs or defendants) may sue their plaints and quarrels, as well of trespasss as of other what they will, before the mayor of the staple, by the law of the staple, or elsewhere at the common law, as is contained in the said statute of the staple. (5) And that the King and all other lords, within their seignories, have and enjoy their franchises, jurisdictions and privileges, as they had before the same statute made: (6) so always that the mayor of the staple have power to take recognifances of debts of every person, be he merchant or other,

Merchants a-  
liens may pro-  
secute their  
suits before  
the mayor of  
the staple, or  
at the com-  
mon law.

27 Ed. 3.  
29. 2. c. 8, 9.  
23 H. 8. c. 6.

in the same manner as is contained in the same statute of the  
statute.

### C A P. VIII.

*penalty imposed by the bishop upon priests taking more  
wages than is assigned. What wages a parish priest may  
take.*

**I**TEM, the King, at the prayer of the commons, shewing to him  
by petition, how that priests be become very scant after the pesti-  
lence, to the great grievance and oppression of the people, hath spoken  
to the archbishop of Canterbury and the other bishops, being in the  
parliament, to set thereupon a covenable remedy, which archbishops and  
bishops at the motion of the King, and of the great men said in the  
same parliament that they have thereupon ordained in certain, that is  
to say, That the pain of parish priests by any manner colour  
receiving above six marks, and other yearly singing, and not  
intending the cure of souls, taking above five marks, without  
the bishop's dispensation and suspension of their office if they  
within the month make not restitution to the use of the church,  
in which they sing, of that that they have above received. And  
the pain of people of holy church, giving above six marks or five  
marks to parish priests, or other yearly singing as afore is said,  
to pay the double of that that they do excessively pay, to be  
converted to the use of alms at the arbitrement of the diocesan  
of the place. And all manner priests, intending their proper  
service, as yearly singing, shall serve the parishes and be attend-  
ing to the cure of souls, as he by the ordinaries of the place, or  
by them to whom he attaineth, shall be required, upon pain  
of suspension of their office, which they shall incur upon the  
refusal, if they within the twenty days after that they shall be re-  
quired, be not obedient to such requests. And that no priest  
passing from one diocese to another, shall be received there to  
sing divine service, unless he shew to the diocesan of the place  
letters commendatory of the bishop, in whose diocese he last  
before dwelled. Wherefore the King by the assent of the great  
men and commons hath ordained, That if any secular man of  
the realm pay any more than five marks to any priest yearly in  
money or in other things to the value, or if he pay to such  
priest, retained to abide at his table, above two marks for his  
own and his other necessaries (his table accounted to xl. s.)  
and thereof be attained, he shall pay to the King fully as much  
as he paid to the said priest.

Ex edit. Rastal.  
Priest's salary.

2 H. 5. stat. 2.  
c. 2.  
Rep. by 21 Jac.  
1. c. 28.

### C A P. IX.

*Whosoever is grieved against these statutes, &c. shall have  
relief in chancery.*

**I**TEM si nul homme se sente  
greve au contreire de nul  
les articles dessus escriptz ou  
autres contenuz en diverses e-  
statutz & viegne en la chancel-  
lerie

**I**TEM, If any man that feel-  
eth himself grieved contrary  
to any of the articles above-  
written, or others contained in  
divers statutes, will come into  
the

Whosoever  
finds himself  
grieved a-  
gainst these  
statutes upon  
complaint

shall have remedy in the chancery.

the chancery, or any for him, and thereof make his complaint, he shall presently there have remedy by force of the said articles and statutes, without elsewhere pursuing to have remedy.

lerie ou aucun pur lui & de ce face sa plainte eit meintenant illoeqes rem.edie par force des ditz arteies & estatutz sanz allours purfuer pur remedie avoir.

3 Inf. 553.

### CAP. X.

*A parliament shall be holden once in the year.*

A parliament shall be held once in the year.

**I**TEM, For maintenance of the said articles and statutes, and redress of divers mischiefs and grievances which daily happen, a parliament shall be holden every year, as another time was ordained by statute.

**I**TEM pur meintenance des ditz articles & estatutz & redresser diverses meschiefs & grevances qe vieignent de jour en autre soit parlement tenuz chescun an sicome autrefois estoit ordeign par estatut.

4 Inf. 9.

4 Ed. 3. c. 14.

16 Car. 2. c. 1.

### CAP. XI.

*The three years subsidy formerly granted shall be no example for the future. All merchants may transport wools.*

Ex edit. Rastal. Wools.

**I**TEM, the King by the assent aforesaid, having regard to the grant that the commons have granted now in this parliament of wools, leather and woollfells to be taken for three years: will and grant that after the said term passed, nothing be taken nor demanded of the said commons, but only the ancient custom of half a mark, nor that this grant now made, or which hath been made in times past, shall not be had in example nor charge of the said commons in time to come. And that the merchants denizens may pass with their wools as well as the foreigners, without being restrained. And that no subsidy, nor other charge, be set nor granted upon the wools by the merchants nor by none other from henceforth, without the assent of the parliament.

27 Ed. 3. stat. 2. c. 3.

### CAP. XII.

*At what times the four sessions of justices of peace shall be holden.*

Ex edit. Pulton.

At what times the four sessions of justices of peace shall be holden.

12 R. 2. c. 10.

2 H. 5. stat. 1.

c. 4.

**I**TEM, that in the commissions of justices of the peace, and of labourers, express mention be made, That the same justices make their sessions four times by the year, that is to say, one session within the *utis* of the *Epiphany*, the second within the second week of *Lent*, the third betwixt the feasts of *Pentecost* and of *S. John Baptist*, the fourth within the eight days of *S. Michael*.

### CAP. XIII.

*An escheator shall have no fee, nor commit waste in wards lands. Lands seised upon an inquest taken before an escheator, shall be letten to ferm.*

**I**TEM, for grievous complaint that the King hath heard by his

**I**TEM pur la grevouise plainte qe le Roi ad oie de son poeple

le de ses eschetours & de lour  
 al port il voet & ad ordeigne  
 el assient avandit qe terres seiz-  
 ez en fa mein pur cause de  
 arde soient sauvement gardez  
 sanz wast ou destruction & qe  
 eschetour eit nul fee de bois  
 venison ne peffon nautze rien  
 des respoigne au Roi des issues  
 & profitz annuels provenantz  
 des ditz terres sanz wast ou  
 destruction faire & sil face au-  
 rement & de ce soit atteint soit  
 eint a la volente le Roi &  
 l'ende al heir les damages au  
 treble a sa propre sute sibien  
 deins age come de pleine age  
 & eient les amys tant come il  
 est deinz age la sute pur lui re-  
 voignantz au dit heir de ce qe  
 sera issint recovery. Auxint  
 des autres terres seisez en la  
 mein le Roi par enqueste dou-  
 ce prise devant les eschetours  
 regne mesme ceste ordeignace  
 de penance devers les esche-  
 ours. Et sil eit nul homme qe  
 mette chalenge ou claym as  
 terres issint seisez qe leschetour  
 demande lenqueste en la chan-  
 cellerie deinz les mois apres les  
 terres issint seisez & qe brief  
 li soit livre de certifier la cause  
 de sa seisine en chancellerie &  
 loeqes soit oie sanz delay de  
 traverser l'office ou autrement  
 monstrier son droit & dilloeqes  
 demande devant le Roi affaire  
 finale discussion sanz attendre  
 autre mandement. Et en cas  
 de aucun veigne devant le chan-  
 celler & monstre son droit pur  
 quele demonstrance par bones  
 evidences de son auncien droit  
 & bon title qe le chancellor par  
 une bone discretion & avis de  
 conseil si lui semble qil busoigne  
 voir conseil qil lessé & baille  
 des terres issint en debat au te-  
 nant rendant ent au Roi la  
 value si au Roi appartient en  
 manere

*his people of his escheators, and  
 of their evil behaviour; he will  
 and hath ordained of the assent  
 aforesaid, That lands seised in-  
 to his hands because of ward,  
 shall be safely kept without  
 waste or destruction; (2) and  
 that the escheator have no fee  
 of wood, fish, nor of venison,  
 nor other thing, but shall an-  
 swer to the King of the issues  
 and profits yearly coming of  
 the said lands, without doing  
 waste or destruction; (3) and  
 if he do otherwise, and thereof  
 be attainted, he shall be ran-  
 somed at the King's will, and  
 yield to the heir the treble da-  
 mages at his own suit, as well  
 within age, as of full age; (4)  
 and his friends, as long as he  
 is within age, shall have the  
 suit for him, answering to the  
 said heir of that which shall be  
 so recovered. (5) Also of other  
 lands seised into the King's  
 hands by inquest of office taken  
 before the escheators, this or-  
 dinance and penance shall hold  
 place against the escheators.  
 (6) And if there be any man  
 that will make claim or chal-  
 lenge to the lands so seised,  
 that the escheator send the in-  
 quest into the chancery within  
 the month after the lands so  
 seised, and that a writ be de-  
 livered to him to certify the  
 cause of his seisin into the  
 chancery, and there he shall be  
 heard without delay to traverse  
 the office, or otherwise to shew  
 his right, and from thence sent  
 before the King to make a final  
 discussion, without attending  
 other commandments. (7) And  
 in case that any come before  
 the chancellor, and shew his  
 right, by which shewing by  
 good evidences of his ancient  
 right and good title, the chan-  
 cellor*

9 H. 3. stat. 1.  
 c. 4.  
 3 Ed. 1. c. 21.  
 28 Ed. 1. stat. 3.  
 c. 18, 19.  
 14 Ed. 3. stat. 1.  
 c. 13.  
 Regist. 72.  
 An escheator  
 shall have no  
 fee of the  
 lands of the  
 King's wards,  
 nor commit  
 any waste  
 therein.  
 4 Co. 57.  
 Cro. El. 513.  
 Ld. Sommer's  
 arg. in the  
 banker's case,  
 77, &c.

13 Ed. 4. c. 3.  
 4 Co. 59.

Land seised  
 into the King's  
 hands by an  
 escheator shall  
 be let to ferm  
 to him which  
 tendereth a  
 traverse to the  
 office.

34. Ed. 3. c. 14.  
3 H. 6. c. 16.

cellor by his good discretion and advice of counfel (if it seem expedient to him to have counfel) shall let and demise the lands so in debate to the tenant, yielding thereof to the King the value, if it pertain to the King, in the manner as he and the other chancellors before him have done in times past of their good discretion, so that he find surety that he shall do no waste nor destruction, till it be judged. (8) And that the said escheators take such inquests in the good towns and of good people, and that openly and by indentures to be made between the said eschea-

By what sort of people, in which place, and in what manner, an escheator shall take his inquests.

1 H. 8. c. 8.

23 H. 6. c. 17.

tors and them of the inquests, as another time was ordained by a statute. (9) And if any escheator do to the contrary of this said ordinance, he shall have two years imprisonment, and moreover he shall be ransomed at the King's will.

#### C A P. XIV.

*The fines and amerciaments of labourers, artificers, and servants, shall be to the use of the commons, and distributed among them, during three years.*

Ex edit. Rastal.  
Fines.  
Amerciaments.

**I**TEM, because that the intent of the lords and commons is declared in this present parliament, That the comminalties of every town of the realm shall have the fines and amerciaments, and all other profits of all manner artificers, servants, and other labourers, and that the same be paid to the collectors of the triennial quinzime, another time granted to the King for the space of three years, in advantage of the commons, in discharge of the quinzime: it is ordained in his parliament, That all the money of fines and amerciaments of profits, as well such as be levied, as which be to be levied due of the said three years, shall be levied to the use of the commons, and distributed betwixt them, notwithstanding the words in another statute, which be contrary to this declaration and ordinance. And the collectors of the said money shall not be bounden to yield thereof account at the exchequer, but that the justices of peace in every county have power to hear their account, and compel them to make full distribution.

#### C A P. XV.

*Pleas shall be pleaded in the English tongue, and inrolled in Latin.*

**I**TEM, Because it is often shewed to the King by the prelates, dukes, earls, barons, and all the

**I**TEM pur ce qe monstre est soventfoitz au Roi par prelatz duçs counts barons & tout

ut la communalte les grantz eschiefs qe sont advenuz as afours du realme de ce qe les leyes custumes & estatutz d'icel dit realme ne sont pas coitez communement en mesme le realme par cause qils sont dedez monstrez & jugez en la langue Franceis qest trop depeue en le dit realme issint qe les gentz qe pledent ou sont ppledez en les courtz le Roi en les courtz dautres nont entendement ne conissance de ce qest dit pur eulx ne contre eulx en lour sergeantz & autres adours & qe resonablement les dites leyes & custumes serent le plus tost apries & conuz mieultz entenduz en la langue ee en le dit realme & par tant lescun du dit realme se purt mieulx gouverner sanz faire pense a la leye & le mieultz arder sauver & defendre ses heritages & possessions & en veries regions & pais ou le Roi les nobles & autres du dit realme ont este est bon gouvernement & plein droit fait a lescun par cause qe lour leyes & custumes sont apries & usez en la langue du pais le Roi devant le bon gouvernement & tranquillite de son poeple & de l'istat & eschure les maulx & eschiefs qe sont advenuz & arront avenir en ceste partie pur les causes susdites origine & establi del assent aiantdit qe toutes plees qe serent a pleder en ses courtz reconques devant ses justices reconques ou en ses autres places ou devant ses autres ministres queconques ou en les courtz & places des autres signurs queconques deinz le realme soient pledez monstrez defenduz responduz debatuz & jugez en la langue Engleise &

*the commonalty, of the great mischiefs which have happened to divers of the realm, because the laws, customs, and statutes of this realm be not commonly holden and kept in the same realm, for that they be pleaded, shewed, and judged in the French tongue, which is much unknown in the said realm, so that the people which do implead, or be impleaded, in the King's court, and in the courts of other, have no knowledge nor understanding of that which is said for them or against them by their serjeants and other pleaders; (2) and that reasonably the said laws and customs the rather shall be perceived and known, and better understood in the tongue used in the said realm, and by so much every man of the said realm may the better govern himself without offending of the law, and the better keep, save, and defend his heritage and possessions: (3) and in divers regions and countries, where the King, the nobles, and other of the said realm have been, good governance and full right is done to every person, because that their laws and customs be learned and used in the tongue of the country: (4) the King, desiring the good governance and tranquillity of his people, and to put out and eschew the harms and mischiefs which do or may happen in this behalf by the occasions aforesaid, hath ordained and stablished by the assent aforesaid, that all pleas which shall be pleaded in any courts whatsoever, before any of his justices whatsoever, or in his other places, or before any of his other ministers whatsoever, or in the courts and places of any other lords whatsoever within the realm, shall be pleaded, shewed, defended, answered,*

*Reasons why the laws should be pleaded and known in the English tongue.*



Pleas shall be pleaded in the English tongue, and not in the French; and they shall be inrolled in Latin.

Old terms and forms shall be observed in pleading.

Cro. El. 85.  
10 Co. 132.  
Co. Lit. 304.  
Hale's Hist.  
Com. Law,  
102, 103.  
4 Geo. 2. c. 26.  
6 Geo. 2. c. 14.

debated, and judged in the *English* tongue, and that they be entered and inrolled in *Latin*; (5) and that the laws and customs of the same realm, terms, and processes, be holden and kept as they be and have been before this time; (6) and that by the ancient terms and forms of the declarations no man be prejudiced, so that the matter of the action be fully shewed in the declaration and in the writ. (7) And it is accorded by the assent aforesaid, that this ordinance and statute of pleading begin and hold place at the fifteenth of St. *Hillary* next coming.

& qils soient entreez & enrullez en Latin & qe les leyes & custumes du dit realme termes & processes soient tenuz & gardez come ils sont & ont este avant ces heures & qe per les aunciens termes & formes de counter nul homme soit perdant issint qe la matiere del action soit pleinement monstre en la demonstrance & en le brief. Et est acorde de lassent avantdit qe cestes ordeignances & estatutz de pleder comencent & tiegnent lieu al quinzaine Saint *Hiller* prochain avenir.

De pardonatione facta communitati Angliæ  
36 EDW. III. stat. 2. and Anno Dom. 1362.

**EDWARD** by the grace of God, &c. to all that, &c. greeting. Know ye, that we have received the petition delivered to us by the commons of our realm in this present parliament, in the form as followeth:

**EDWARD** par la grace de Dieu Roi d'Engleterre seigneur d'Irlande & d'Aquitaine as touz ceux qi cestes lettres verront, salut. Sachiez nous avoir resceu la petition baille a nous par la commune de nostre realme en cest present parlement en la forme que sensuyt:

*The pardon made in the same parliament.*

Ex edit. Rastal.  
Pardon.

**T**O their most redoubted sovereign lord the King pray the said commons, That whereas they have prayed him to be discharged of all manner of articles of the *Eire*, except pleas of land of *Quo warranto*, treasons, robberies, and all other felonies, for the which a man shall bear pain of life and member, which petition seemeth to his counsel to be prejudicial to him, and in disherison of his crown, if it were so generally granted: his said commons not willing nor desiring to demand things of him, which should fall in disherison of him or of his crown perpetually, as of escheats of land or of tenements by any cause, wards, marriages, fees, and advowsons, serjanties, rents, services, seignories, lands amortised without licence, nor fines for trespass of purchasing of lands holden of him as of his crown, and aliened without licence, nor of fines offered in certain and not refused before any of his justices, for purprestures made upon

on him as well in lands as in waters, franchises accroached,  
 casure found, debts and accounts due to him after the pardon  
 made to his said commons by statutes late made, nor other ar-  
 ticles whatsoever they be, which should fall in disherison of  
 him or of his crown perpetually, but of trespasss, misprison,  
 negligences, or ignorances, or any other things done, fallen or  
 happened before this present parliament, and of all articles of  
 the *Eire*, whereof the punishment shall lie in fine or in ransom  
 or other pecuniary pains, imprisonments, americiaments of the  
 commons or of towns, or of any singular persons, as well the  
 King's ministers as other at the King's suit, escapes of felons,  
 rattels, of felons and fugitives fallen sith the last parliament  
 made to his commons of them and not levied nor judged, or in  
 charge of the freehold of them that never trespassed, as heirs or  
 and tenants, of coroners, sheriffs, escheaters. as well the King's  
 ministers as other, and all other people. *Saving to the King the  
 debts and accounts due to him now at this present, of these things before  
 named,* That it may please his excellent Highness, having re-  
 gard to the great charges, travels, and mischiefs, which his  
 said commons have in his time, and to which charge he hath  
 now required them of those things before-named, to do pardon  
 generally to his said commons till this present parliament, so  
 that all the things and articles afore-named for any manner of  
 thing done in time past nothing be required, nor none of the  
 people, King's minister nor other, of what condition that he  
 be, be put to answer, impeached, molested, nor grieved by any  
 manner, colour, imagination, or interruption, but all manner  
 of trespasss, misprisions, negligences or ignorances, and all other  
 things before-named be repealed and wholly pardoned. *Saving  
 always the suit of the parties, which will them complain.* And that  
 the people attainted at the suit of the parties have imprisonment, in  
 which where it is given by the law, notwithstanding the pardon  
 of fines and ransoms as afore is said. *And whereas the commons*  
*have another time required, and yet they pray,* That the Great Char-  
 ter, and the Charter of the Forest, and all other statutes before  
 this time made, be firmly kept and holden in all points of all  
 things, which be to fall, or which shall happen hereafter, as  
 well for the King's profit, as for the quietness of his people.  
 And that all the articles of the *Eire* be sent to the justices of  
 the peace in every county, to publish and notify them to the com-  
 mons, to the intent that they may have knowledge of the said  
 articles, so that they may the better govern and bear them, and  
 shew the perils and punishment of the said articles, that then  
 at what time it shall please their said redoubted lord, that they  
 shall make his sessions and enquires, according as shall seem of  
 him and his council that best is to be done for the profit of him  
 and of his people. And the intent of his said commons is not  
 to have the same pardon that the King shall not do to be enquired of  
 the grievances and oppressions done to the people by his  
 purveyors, or the purveyors of other before this time, whereof  
 great clamour hath been made in this present parliament. And  
 that

Charter.

Eire.

Purveyors.

that it may please his gracious Highness to make charters of the same pardons, containing the said pardons, to all the counties of *England*, and to all several persons that will demand the same, to pursue without fine or fee paying for the seal. And that the form of the same charters be made before the departing of the lords from the parliament. And that the said form be shewed to our sovereign lord the King and to his council, and to the other lords. *We considering the great charges which our said commons have sustained, and the great good that they have done to us oftentimes, of our special grace and by the assent of the prelates, dukes, earls, and barons, and the commons being in the said parliament, have granted to our said commons for all times past a full pardon according to the form of their said petition. Saving always to us and to our heirs our right in time to come in the manner as we have before this time granted and pardoned.* And we will and grant, That by us and our heirs, our justices, nor none other of our ministers, no man be impeached nor put to answer, nor process made of any point contained in our said pardon. *In witness whereof to this our letters patents we have set our seal, given at Westminster the xiii day of October the xxxvi year of our reign.*

## De statuto proclamando.

**R**EX vicecomiti Essexie & Hertfordie salutem. Quodam statuta & ordinationes per nos de communi assensu prelatorum magnatum & communitatis regni nostri in presenti parlamento nostro apud Westm' pro communi utilitate totius regni predicti edita & provisa tibi mittimus in duabus patentibus magno sigillo nostro signatis mandantes quod statim visis patentibus predictis eas & omnia & singula contenta in eisdem tam in pleno comitatu utriusque comitatuum predictorum quam in civitatibus burgis villis mercatoriis feriis mercatis & aliis locis in eisdem comitatibus ubi expedire videris tam infra libertates quam extra publice legi & proclamari & inviolabiliter observari & teneri facias & de eo quod inde feceris & de die receptionis presentium & per quem presens mandatum tibi liberatum fuerit nos in cancellaria nostra citra octabas Purificationis beate Marie proximo futur' vel in eisdem octabis ad ultimum reddas sub sigillo tuo distincte & aperte certiores remittens nobis hoc breve. T. R. apud Westm' xx. die Novembris.

Per ipsum Regem &amp; Consilium.

Eodem modo mandatum est singulis vicecomitibus per Angliam Episcopo Dunelmensi Edwardo Principi Wallie & Comiti Cestrie Roberto de Herle Constabulario castri Doverr' & Custodi Quinque Portuum & Justic' Hibern'.

Statutes made at *Westminster*, Anno 37 EDW. III.  
and *Anno Dom.* 1363.

**K**ING EDWARD at his parliament holden at Westminster the Friday in the Utas of Saint Michael, the seven and thirtieth year of his reign, at the request of the commons, and by the assent

**L**E ROI EDWARD a son parlement tenuz a Westminster le Vendredi en les oitaves Saint Michel lan de son regne trent septieme a la request des communes & del assent de prelatz ducs

les countes barons & autres  
antz illoeqes assemblez ad or-  
gine les choses soutescriptes  
la forme qe sensuyt.

*assent of the prelates, dukes, earls,  
barons, and other great men there  
assembled, hath ordained the things  
underwritten in the form as fol-  
loweth:*

## CAP. I.

*A confirmation of former statutes.*

Primerement qe la Grande  
Chartre la Chartre de la  
prest & les estatutz & ordi-  
nances einz ces heures faites &  
ement les estatutz faitz au  
reyn parlement soient tenuz  
gardez & duement executz  
lonc la forme & effect dil-  
les.

**F**IRST, That the Great  
Charter, and the Charter  
of the Forest, and the statutes  
and ordinances made in times  
past, and specially the statutes  
made at the last parliament, be  
holden and kept, and duly ex-  
ecuted according to the form  
and effect of them.

The Great  
Charter and  
other statutes  
shall be ob-  
served.

## CAP. II.

*Idempnitatem Nominis shall be granted upon the wrongful  
seizure of another's person, lands, or goods.*

TEM pur les grandes me-  
schiefs qe sovent sont ave-  
z & venent de jour en autre  
ceo qe les eschetours visconts  
autres ministres le Roi se-  
nt les terres biens & chateux  
plusours gentz surmettantz  
sont utlagez la ou ils ne  
ut utlagez per cause qils por-  
nt tielx nouns come ces q  
ut utlagez pur defaute de bone  
elation des furnouns est or-  
gine qe si nul se pleyne en  
cas eit brief de Idempti-  
e nominis en manere come  
este usee avant ces hures &  
terres biens ou chateux de  
luy soient sefiz en tieu cas  
e eschetours viscont ou autre  
ministre troeve seurte devant  
ministre qi ad garante de sei-  
de respondre au Roi de la  
u des tieux terres biens ou  
teux en cas qil ne se poet  
charger sanz rien prendre  
la partie & si tiel ministre ne  
face & de ceo soit atteint eit  
partie sa feute devers tiel  
ministre & recovre ses damages  
double & nient meins soit

**I**TEM, for the great mischiefs  
which often have happened,  
and daily do come, because that es-  
cheators, sheriffs, and other the  
King's ministers, do seise the lands,  
goods, and chattels of many, sur-  
mising that they be outlawed, where  
they be not outlawed, because that  
they bear such names as those which  
be outlawed, for default of good  
declaration of the surname; (2) it  
is ordained, That if any com-  
plain him in such case, he shall  
have a writ of *Idempnitatem nomi-  
nis*, in the manner as hath been  
used in times past; (3) and if  
any man's lands, goods, or  
chattels be seised in such case  
by escheator, sheriff, or other  
minister of the King's, he shall  
find surety before the minister  
which hath the warrant to seise,  
to answer to the King of the  
value of such lands, goods, and  
chattels, in case that he cannot  
discharge him, without taking  
any thing of the party; (4) and  
if such minister do not the same,  
and thereof be attainted, the  
party shall have the suit against  
such

An Idempti-  
tate nominis  
shall be grant-  
ed upon the  
seizure of an-  
other man's  
lands or  
goods.

9 H. 6. c. 4.  
Regist. 194, &c.  
Rast. 407.

fuch minister, and recover his grevousment puniz devers le double damages, and neverthe- Roi.  
less he shall be grievously punished to the King.

## C A P. III.

*The severall prices of a hen, capon, pullet, and goose.*

Ex edit. Raft.

**I**TEM, for the great dearth that is in many places of the realm of poultry; it is ordained, That the price of a young capon shall not pass 3d. and of an old 4d. of an hen 2d. of a pullet 1d. of a goose 4d. and in places where the prices of such victuals be less, they shall hold, without being enhanced by this ordinance. And that in the towns and markets of up-land they shall be sold at a less price, according as may be agreed between the seller and the buyer. And justices shall be thereupon assigned by commission to put the thing duely in execution.

Rep. by 21  
Jac. 1. c. 28.

## C A P. IV.

*A clerk of the remembrance of the exchequer shall be assigned.*

A clerk of the remembrance and clerk of the pipe shall be assigned to sit together.

**I**TEM, because that many people acquitted by judgement in the exchequer in one place, be grieved and endamaged in other offices and places of the said exchequer, of the same things whercof they be so acquit, to the great mischief of the people; (2) it is ordained, That one clerk of the remembrance be titled to sit against the clerk of the pipe, to see the discharges made in the pipe, and to imbreviate the same in the remembrance, to cause to cease all manner of processe thereupon made; (3) and also that the summons of the pipe be withdrawn according as the parties by processe be discharged; (4) and in whomsoever any default be willingly found, the treasurer by the King's commandment shall duly punish the same.

1 R. 2. c. 5.

**I**TEM pur ce que plusieurs gentz acquitez par jugement en leschequer en une place sont grandement grevez & endamagez en autres offices & places du dit eschequer de mesmes les choses dont ils sont issint acquitez a grant meschiet du poeple est ordeigne que un clerke de la remembrancie soit title de seer amount le clerke de la pipe de veer les descharges faites en la pype & les enbrever en la remembrancie pur faire cesser tote manere de processe sur ceo fait & auxi que la summons de la pipe soit retrait selonc ce que parties par processe sont deschargez & en cas que defaute voluntrivement soit trouve le tresorer par commandement le Roi le ferraduement punier.

## C A P. V.

*Merchants shall not ingross merchandises to inbanche the price of them, nor use but one sort of merchandise.*

Ex edit. Raft.  
Merchants.  
Grocers.

**I**TEM, for the great mischiefs which have happened, as well to the King, as to the great men and commons, of that that the merchants, called grocers, do ingross all manner of merchandise vendible and suddenly do enhance the price of such merchandise within the realm

puttin

putting to sale by covin and ordinance made betwixt them, called the fraternity and gild of merchants, the merchandises, which be most dear, and keep in store the other, till the time that dearth or scarcity be of the same: hath ordained, That no English merchant shall use no ware nor merchandise, by him nor by other, nor by no manner of covin, one only one, which he shall choose betwixt this and the feast of *Candlemas* next coming. And such as have other wares or merchandises in their hands, than those that they have chosen, may set them to sale before the feast of the Nativity of Saint *John* next ensuing. And if any do to the contrary of this ordinance in any point, and be thereof attainted, in the manner as hereafter followeth, he shall forfeit against the King the merchandise, which he hath so used against this ordinance: and moreover, shall make a fine to the King, according to the quantity of the trespass. And how this ordinance shall be put in execution, it is ordained, That good people and lawful of every merchandise shall be chosen and sworn, to survey that this ordinance be holden and executed, that is to say, two merchants in every merchandise in every town and burgh, and two merchants of every county, and redress the defaults, and of that that they may not redress, they shall certify the chancellor, and the King's council. And commissions shall be made to certain people, to whom and when it shall please the King to assign, to enquire in cities, burghs, and counties, where need shall be, as well of trespassers in this behalf, as of surveyors, in case that they be negligent, or of covin with the trespassers, by the oath of six men sworn: and moreover, to make process for to hear and determine daily, and to punish the trespassers and surveyors, that is to say, the trespassers according as is above ordained, and the surveyors according to the discretion of the justices, and that by the jury of xii. in case they will put themselves upon the country of their accusation. And whosoever will sue for the King in such case, shall be thereto received, and shall have the fourth peny of the forfeiture of him that so shall be attainted at his suit.

Commission.

Surveyors.

Rep. by 38 Ed.  
3. Stat. 1. c. 2.

## CAP. VI.

*Handicraftsmen shall use but one mystery, but workwomen may work as they did.*

ITEM, it is ordained, That artificers, handicraft people, hold them every one to one mystery, which he will choose betwixt this and the said feast of *Candlemas*. And two of every craft shall be chosen to survey, that none use other craft than the same which he hath chosen, and that justices be assigned to enquire by process, to hear and determine in this article, as is ordained in the article before said, saving that the trespassers in this article shall be punished by imprisonment of half a year, and moreover to make fine and ransom, according to the quantity of the trespass. And the surveyors by the discretion of the justices, as before. *But the intent of the King and of his council is, that workwomen, that is to say, brewers, bakers, carders, and spinners, and*

Artificers.  
Handicraft.Rep. by 5 Eliz.  
c. 4.

workers as well of wool, as of linen cloth and of silk, brawdesters, and breakers of wool, and all other that do use and work all bandy works, may freely use and work as they have done before this time, without any impeachment, or being restrained by this ordinance.

## CAP. VII.

*Goldsmiths work shall be of good sterling, and marked with his own mark. None shall make white vessel and also gild.*

Goldsmiths shall make their work of sterling.

4 H. 7. c. 2.

13 Eliz. c. 15.

Every goldsmith shall have a mark, and set it to his work.

2 H. 6. c. 14.

28 Ed. 1. stat. 3.

C. 20.

No goldsmith shall make white vessel, and also gild.

Rep. by 21

Jac. 1. c. 28.

**I**TEM, it is ordained, That goldsmiths, as well in London as elsewhere within the realm, shall make all manner of vessel and other work of silver well and lawfully of the alloy of good sterling. (2) And every master goldsmith shall have a mark by himself; and the same mark shall be known by them which shall be assigned by the King to survey their work and alloy. (3) And that the said goldsmiths set not their mark upon their works till the said surveyors have made their essay, as shall be ordained by the King and his council; and after the essay made, the surveyors shall set the King's mark, and after the goldsmith his mark, for which he will answer. (4) And that no goldsmith take for vessel white and full for the weight of a pound, that is to say, of the price of two marks of Paris weight, but eighteen pence, as they do at Paris. (5) And that no goldsmith making white vessel shall meddle with gilding, nor they that do gild shall meddle to make white vessel. (6) And they which shall be so assigned in every town, shall make their searches as oftentimes shall be ordained. (7) And for that which shall be in the goldsmith's default, they shall incur the pain of forfeiture to the King the value of the metal which shall be found in default.

## CAP. VIII.

*The diet and apparel of servants.*

Servants fare and apparel.

Rep. 24 H. 8.

c. 13. & 1 Jac. 1.

c. 25.

**I**TEM, for the outrageous and excessive apparel of divers people, against their estate and degree, to the great destruction and impoverishment of all the land: it is ordained, That grooms, as well servants of lords, as they of mysteries and artificers, shall be served to eat and drink once a day of flesh or of fish, and the remnant of other victuals, as of milk, butter, and cheese, and other such victuals, according to their estate. And that they have cloths for their vesture, or hosing, whereof the whole cloth shall not exceed two marks, and that they wear no cloth of higher price, of their buying, nor otherwise, nor nothing of gold nor of silver embroidered, aimed, nor of silk, nor nothing pertaining to the said things. And their wives, daughters, and children of the same condition in their clothing and apparel, and they shall wear no veils passing xii. d. a veil.

## CAP. IX.

*The apparel of handicraftsmen and yeomen, and of their wives and children.*

Handicraftsmen's apparel.

**I**TEM, That people of handicraft, and yeomen, shall take nor wear cloth of an higher price for their vesture or hosing than

han within forty shillings the whole cloth, by way of buying, or otherwise, nor stone, nor cloth of silk, nor of silver, nor girdle, knife, button, ring, garter, nor owche, ribband, chains, nor no such other things of gold nor of silver, nor no manner of apparel embroidered, aimeled, nor of silk by no way. And that their wives, daughters, and children, be of the same condition in their vesture and apparel. And that they wear no veil of silk, but only of yarn made within the realm, nor no manner of furr, nor of budge, but only lamb, cony, cat, and fox.

## CAP. X.

*What apparel gentlemen under the estate of knights, and what esquires of two hundred mark-land, &c. may wear, and what their wives and children.*

ITEM, That esquires and all manner of gentlemen, under the estate of a knight, which have no land nor rent to the value of an hundred pounds by year, shall not take nor wear cloth for their clothing or hosing of an higher price, than within the price of four marks and an half the whole cloth by way of buying, nor otherwise, and that they wear no cloth of gold, nor silk, nor silver, nor no manner of clothing imbroidered, ring, buttons, nor owche of gold, ribband, girdle, nor none other apparel, nor garnets, of gold nor of silver, nor nothing of stone, nor no manner of furr, and that their wives, daughters, and children be of the same condition, as to their vesture and apparel, without any turning up or purple. And that they wear no manner of apparel of gold, or silver, nor of stone, but that esquires, which have lands or rent to the value of ii. C. marks by year and above, may take and wear cloths of the price of v. marks the whole cloth, and cloth of silk and of silver, ribband, girdle, and other apparel reasonably garnished of silver. And that their wives, daughters, and children, may wear furr turned up of miniver, without ermins or letuse, or any maner of stone, but for their heads.

## CAP. XI.

*The apparel of merchants, citizens, burgessees, and handicraftsmen.*

ITEM, That merchants, citizens and burgessees, artificers, and people of handy-craft, as well within the city of London, as elsewhere, which have clearly goods and chattels, to the value of lxx. C. pounds, and their wives and children, may take and wear in the manner as the esquires and great men, which have land or rent to the value of C. li. by year. And that the same merchants, citizens, and burgessees, which have clearly goods and chattels, to the value of M. li. and their wives and children may take and wear in the manner as esquires and gentlemen, which have land and rent to the value of ii. C. li. by year, and no groom, yeoman, or servant of merchant, artificer or people of handycraft shall wear otherwise in apparel than is above ordained of yeomen of lords.



## CAP. XII.

*The apparel of knights which have lands within the yearly value of two hundred marks, and of knights and ladies which have four hundred mark land.*

Knights apparel.

**I**TEM, That knights, which have land or rent within the value of ii. C. li. shall take and wear cloth of vi. marks the whole cloth, for their vesture, and of none higher price. And that they wear not cloth of gold, nor cloths, mantle, nor gold furred with miniver nor of ermins, nor no apparel broi-dered of stone, nor otherwise: and that their wives, daughters, and children be of the same condition. And that they wear no turning up of ermins, nor of letuses, nor no manner of apparel of stone, but only for their heads. *But that all knights and ladies, which have land or rent over the value of iv. C. mark by year, to the sum of M. li. shall wear at their pleasure, except ermins and letuses, and apparel of pearl and stone, but only for their beads.*

Rep. 24 H. 8.  
c. 13 & 1 Jac. 1.  
c. 25.

## CAP. XIII.

*The apparel of several sorts of clerks.*

Clerks.

**I**TEM, That clerks, which have degree in any church cathed-ral, collegial, or schools, or clerk of the King, that hath such estate that requireth furr, shall do and use according to the constitution of the same. And all other clerks, which have ii. C. marks of land by year, shall wear and do as knights of the same rent. And other clerks within the same rent, shall wear as the esquires of C. li. of rent. And that all those, as well knights as clerks, which by this ordinance may wear furr in the winter, in the same manner shall wear lisure in the summer.

Rep. 24 H. 8.  
c. 13. & 1 Jac. 1.  
c. 25.

## CAP. XIV.

*The apparel of ploughmen, and other of mean estate; and the forfeitures of offenders against this ordinance.*

Carters,  
ploughmen,  
&c.

**I**TEM, That carters, ploughmen, drivers of the plough, ox-herds, cowherds, shepherds, deyers, and all other keepers of beasts, threshers of corn, and all manner of people of the es-tate of a groom, attending to husbandry, and all other people, that have not forty shillings of goods, nor of chattels, shall not take nor wear any manner of cloth, but blanket, and russet wool of twelve pence, and shall wear the girdles of linen according to their estate, and that they come to eat and drink in the manner as pertaineth to them, and not excessively. And it is ordained, that if any wear or do contrary to any of the points aforesaid, that he shall forfeit against the King all the apparel that he hath so worn against the form of this ordinance.

Rep. 24 H. 8.  
c. 13. & 1 Jac. 1.  
c. 25.

## CAP. XV.

*Clothiers shall make cloths sufficient of the foresaid prices, so that this statute for default of such cloths be in no wise im-fringed.*

Cloth-makers.  
Drapers.

**I**TEM, to the intent that this ordinance, for the taking and wear-ing of cloths be maintained and kept in all points without blemish-

is ordained, that all the makers of cloths within the realm, as well men as women, shall confirm them to make their cloths according to the price limited by this ordinance. And that all the drapers shall buy and purvey their sorts according to the same price. So that so great plenty of such cloths be made and sold to sale in every city, borough, and merchant, town, and elsewhere within the realm, that for default of such cloths the said ordinance be in no point broken. And to that shall the said clothmakers and drapers be constrained by any manner way that best shall seem to the King and his council. And this ordinance of new apparel shall begin at candlemas next coming.

## CAP. XVI.

*Repeal of the punishment of lands, and of life and member, inflicted by the stat. 27 Ed. 3. stat. 1. cap. 5. & 7. enquiry shall be made yearly in Gascoine in the King's dominions, of couchers of England, which lie there to buy wines.*

TEM, it is ordained, That the statute made of wines the said Wines, xxvii. year be holden and kept in all points, except the punishment of lands and tenements and of life and member, which punishment is repealed in this present parliament, as well of time past as of time to come. Moreover it is ordained, That every year it shall be sent to the mayor and constable of Bourdeaux, to Rochelle, and to all other towns and ports in Gascoine and elsewhere, which are of the liegeance of our sovereign lord the King, out of which the wines come into England, to be certified of the price of the wines and in other costs, and of the couchers English against the form of the statute. And by this certification of the couchers against the statute they shall be put to answer, if the body be sent as is contained in the statute. And if he deny the certification, it shall be tried by merchants using those parts and other people which best have thereof knowledge. And if the body be not sent, that certification shall be sent into the King's Bench, or before other justices according as shall need. And there process be made by *Capias* and *exigent*, or tried by *Mise*, as there is said. 1 Eliz. c. 13.

## CAP. XVII.

*What case a writ shall not be abated by exception of cognisance of villenage.*

TEM, it is ordained, That no writ be abated by exception of Villenage. cognisance of villenage, if the demandant or plaintiff will avouch that he that alledged the exception was free the day of the purchase. 12 Car. 2. c. 24.

## CAP. XVIII.

*The order of pursuing a suggestion made to the King.*

TEM, though that it be contained in the Great Charter, that no man be taken nor imprisoned, nor put out of his freehold, without process of the law; nevertheless divers people make false suggestion to the King himself, as well for malice as otherwise, whereof the King is Charter. Suggestion.

often grieved, and divers of the realm put in damage, against the form of the same charter: wherefore it is ordained, That all they that make such suggestions, be sent with the suggestions before the chancellor, treasurer and his council, and that they there find surety to pursue their suggestions, and incur the same pain that the other should have had if he were attainted, in case that his suggestion be found evil. And that then process of the law be made against them, without being taken or imprisoned against the form of the said charter and other statutes.

## CAP. XIX.

*How each person shall use a hawk of another's that be taketh up.*

How each person shall use a hawk of another man's that he taketh up.

**I**TEM, whereas it was another time ordained, That every person that findeth any falcon, tercellet, laner, or laneret, or any other hawk that is lost of his lord's, that presently he shall bring him to the sheriff of that county, and that the sheriff make proclamation in all the good towns of the county, that he hath such hawk in keeping. (2) And if the lord which hath lost him, or any of his, come to challenge him, and prove reasonably that it is his lord's let him pay for his costs, and have the hawk. (3) And if none come within four months for to challenge him, then the sheriff shall have the hawk, making gree to him that did take him, if he be a simple man; and if he be a gentleman, and of estate to have the hawk, the sheriff shall redeliver to him the hawk, taking of him reasonable costs for the time that he had him in his keeping. (4) And if any hath taken such hawk, and the same conceal from the lord to whom the hawk is, or from his falconers, or if any take him away from the lord, and thereof be attainted, he shall have two years imprisonment, and yield to the lord the price of the hawk so concealed or taken away, if he have whercof, and if not, he shall the longer abide in prison. (5) Notwithstanding this ordinance, the offenders doubt but little to offend

34 Ed. 3. c. 22. The concealing or embezzeling of a hawk is felony.

**I**TEM come autrefois fuist ordeigne que quelconque persone que trouve faucoun terlelet lanier ou lanieret austour ou autre faucoun que soit perdu de son seigneur que maintenant il l'apport au viscount del countee & que le viscounte face proclamation en touz les bones villes du countee qil ad un tiel faucoun en garde. Et si le seigneur qi le perdi ou aucun des foens viegne pur lui chalanger & proeve resonablement que ce est a son seigneur paie pur ses custages & eit le faucoun. Et si nul viegne deinz les quatre mois pur lui chalanger adonques le viscounte eit le faucoun fesant gree a celui qi le prist sil soit simple homme & sil soit gentils homme destat daver faucoun que le viscounte baille a lui le dit faucoun parnant de lui resonables coustages pur le temps qil lavoit en garde. Et si nul eit pris tiel faucoun & le concele du seigneur a qi il est ou a ses faucouners ou qi lemport de seigneur & de ce soit atteint eit la prisone de deux ans & rende au seigneur le pris du faucoun issint concele ou emportee sil eit de quoi & si noun eit pluis longe demoeure en prisone. Et nient countrestant ceste ordenance les mescouffours nount pas dote de trespasser en celle partie par quoi est ordeine

ordeine & par estatut establi en ce present parlement qe si nul emble faucoun & lemporte nient fesant lordinance dessus dite soit fait de lui come de laroun qi emble chival ou autre chose.

*inthis behalf:* (6)wherefore it is ordained, and by statute established in this present parliament, That if any steal any hawk, and the same carry away, not doing the ordinance aforesaid, it shall be done of him as of a thief that stealeth a horse or other thing.

3 Inst. 97.  
4 Inst. 51.

Statutes made at *Westminster*, Anno 38 EDW. III. stat. I. and *Anno Dom.* 1363.

**O**UR lord King EDWARD at his parliament holden at Westminster in the Utas of St. Hillary, the eight and thirtieth year of his reign, of the assent of his prelates, dukes, earls, barons and commons of his realm there assembled, hath made and ordained the things underwritten :

CAP. I.

*Former statutes shall be observed and executed.*

**A** Deprimes que la Grande Chartre la Chartre de la Foreste & les autres estatutz faitz sibien en son temps come en temps de ses progenitours soient tenuz & gardez & duement executz en touz poyntes.

**F**IRST, That the Great Charter, and the Charter of the Forest, and the other statutes made as well in his time as in the time of his progenitors, be holden and kept, and duly executed in all pointz.

Former statutes shall be kept and executed.

CAP. II.

*Any merchant may use more merchandises than one, notwithstanding the statute of 37 EDW. 3 c. 5. Who only may transport gold or silver.*

**E**T quant a ceo que ordene feust au derrein parlement de vivres & dapparail & que nul marchand Englois ne useroit que ne marchaundie est acorde que touz gentz soient si franks come estoient de tut temps auncienement devant les dites ordiances & nicement come estoient en temps del aiel nostre seigneur le Roi & de ses autres bones progenitours. Et que touz marchantz sibien denzeins come aliens puissent vendre & achatre toute manere de marchandie & franchement ameifner hors du roialme paiantz les custumes

**I**TEM, to that which was ordained at the last parliament, of living and of apparel, and that no English merchant should use but one merchandise; it is ordained, That all people shall be as free as they were at all times before the said ordinance, and namely as they were in the time of the King's grandfather, and his other good progenitors. (2) And that all merchants, as well aliens as denizens, may sell and buy all manner of merchandises, and freely carry them out of the realm, paying the customs and

Any merchant may use more merchandise than one, notwithstanding the statute of 37 Ed. 3. c. 5.

9 Ed. 3. stat. 1. c. 1.  
5 R. 2. stat. 1. c. 2.  
2 H. 4. c. 5.

## CAP. XII.

*The apparel of knights which have lands within the yearly value of two hundred marks, and of knights and ladies which have four hundred mark land.*

Knights apparel.

**I**TEM, That knights, which have land or rent within the value of ii.C. li. shall take and wear cloth of vi. marks the whole cloth, for their vesture, and of none higher price. And that they wear not cloth of gold, nor cloths, mantle, nor gold furred with miniver nor of ermins, nor no apparel broidered of stone, nor otherwise: and that their wives, daughters, and children be of the same condition. And that they wear no turning up of ermins, nor of letuses, nor no manner of apparel of stone, but only for their heads. *But that all knights and ladies, which have land or rent over the value of iv.C. mark by year, to the sum of M. li. shall wear at their pleasure, except ermins and letuses, and apparel of pearl and stone, but only for their beads.*

Rep. 24 H. 8.  
c. 13. & 1 Jac. 1.  
c. 25.

## CAP. XIII.

*The apparel of several sorts of clerks.*

Clerks.

**I**TEM, That clerks, which have degree in any church cathedral, collegial, or schools, or clerk of the King, that hath such estate that requireth furr, shall do and use according to the constitution of the same. And all other clerks, which have ii. C. marks of land by year, shall wear and do as knights of the same rent. And other clerks within the same rent, shall wear as the esquires of C. li. of rent. And that all those, as well knights as clerks, which by this ordinance may wear furr in the winter, in the same manner shall wear linure in the summer.

Rep. 24 H. 8.  
c. 13. & 1 Jac. 1.  
c. 25.

## CAP. XIV.

*The apparel of ploughmen, and other of mean estate; and the forfeitures of offenders against this ordinance.*

Carters,  
ploughmen,  
&c.

**I**TEM, That carters, ploughmen, drivers of the plough, oxherds, cowherds, shepherds, deyars, and all other keepers of beasts, threshers of corn, and all manner of people of the estate of a groom, attending to husbandry, and all other people, that have not forty shillings of goods, nor of chattels, shall not take nor wear any manner of cloth, but blanket, and russet wool of twelve pence, and shall wear the girdles of linen according to their estate, and that they come to eat and drink in the manner as pertaineth to them, and not excessively. And it is ordained, that if any wear or do contrary to any of the points aforesaid, that he shall forfeit against the King all the apparel that he hath so worn against the form of this ordinance.

Rep. 24 H. 8.  
c. 13. & 1 Jac. 1.  
c. 25.

## CAP. XV.

*Clotbiets shall make cloths sufficient of the foresaid prices, so that this statute for default of such cloths be in no wise infringed.*

Cloth-makers.  
Drapers.

**I**TEM, to the intent that this ordinance, for the taking and wearing of cloths be maintained and kept in all points without blemish:

it is ordained, that all the makers of cloths within the realm, as well men as women, shall confirm them to make their cloths according to the price limited by this ordinance. And that all the drapers shall buy and purvey their sorts according to the same price. So that so great plenty of such cloths be made and set to sale in every city, borough, and merchant, town, and elsewhere within the realm, that for default of such cloths the said ordinance be in no point broken. And to that shall the said clothmakers and drapers be constrained by any manner way that best shall seem to the King and his council. And this ordinance of new apparel shall begin at candlemas next coming.

## CAP. XVI.

*A repeal of the punishment of lands, and of life and member, inflicted by the stat. 27 Ed. 3. stat. 1. cap. 5. & 7. enquiry shall be made yearly in Gascoine in the King's dominions, of couchers of England, which lie there to buy wines.*

**I**TEM, it is ordained, That the statute made of wines the said Wines. xxvii. year be holden and kept in all points, except the punishment of lands and tenements and of life and member, which punishment is repealed in this present parliament, as well of time past as of time to come. Moreover it is ordained, That every year it shall be sent to the mayor and constable of *Bourdeaux*, to *Rochele*, and to all other towns and ports in *Gascoine* and elsewhere, which be of the liegeance of our sovereign lord the King, out of which the wines come into *England*, to be certified of the price of the wines and in other costs, and of the couchers *English* against the form of the statute. And by this certification of the couchers against the statute they shall be put to answer, if the body be sent as is contained in the statute. And if he deny the certification, it shall be tried by merchants using those parts and other people which best have thereof knowledge. And if the body be not sent, that certification shall be sent into the King's bench, or before other justices according as shall need. : Eliz. c. 13. And there process be made by *Capias* and *exigent*, or tried by *Mise*, as afore is said.

## CAP. XVII.

*In what case a writ shall not be abated by exception of cognifance of villenage.*

**I**TEM, it is ordained, That no writ be abated by exception of Villenage. cognifance of villenage, if the demandant or plaintiff will aver that he that alledged the exception was free the day of the writ purchased. 12 Car. 2. c. 24.

## CAP. XVIII.

*The order of pursuing a suggestion made to the King.*

**I**TEM, though that it be contained in the Great Charter, that no Charter. man be taken nor imprisoned, nor put out of his freehold, without Suggestion. process of the law; nevertheless divers people make false suggestion to the King himself, as well for malice as otherwise, whereof the King is

he hath suffered by such occasion; (2) and after shall make fine and ransom to the King. (3) And the point contained in the same article, that the plaintiff shall incur the same pain, which the other should have if he were attainted, shall be out, in case that his suggestion be found untrue.

## C A P. X.

*A confirmation of the statutes made for wines.*

The statutes of wines confirmed.

**I**TEM, as to the merchants of wines, and of those that pass the sea to fetch wines in *Gascoigne*, for the diversity of opinions of divers: it is assented, That the statutes and ordinances thereupon made, shall stand in their force.

## C A P. XI.

*Merchants denizens may fetch wines, and aliens may bring them.*

All merchants denizens that be not artificers may go into *Gascoigne* to fetch wine, and aliens may bring wines into this realm.

**I**TEM the King will of his grace and sufferance, That all merchants denizens that be not artificers, shall pass into *Gascoigne* to fetch wines there, to the end and intent that by this general licence greater plenty may come, and greater market may be of wines within the realm; (2) and that the *Gascoignes* and other aliens may come into the realm with their wines, and freely sell them without any disturbance or impeachment; always saved to the King, that it may be lawful to him, whensoever it is advised to him or his council, to ordain of this article in the manner as best shall seem to him for the profit of him and his commons,

**E**T le Roi voet de sa grace & souffrance que touz marchantz denzeins que ne sont artificers passent en *Gascoigne* de quere vins illoques au fin & entente que parmy cest general congie greindre plente viegnent & meillour marche soient des vins deinz le Roialme & que les *Gascoignes* & touz autres aliens puissent venir en dit roialme ove leur vins & fraunchement vendre sanz nule destourbanche ou empeschement toutdis sauve au Roi que bien luy life a quele hure que soit avis a luy & son bon conseil de ordenir sur cest article en manere que meulx luy semblera pur profit de luy & de sa communalte.

## C A P. XII.

*The punishment of a juror taking reward to give verdict, and of embracers.*

34 Ed. 3. c. 8. A Juror taking reward to give his verdict, shall pay ten times so much as he hath taken.

**I**TEM, as to the article of jurors in the four and thirtieth year; it is assented and joined to the same, That if any juror in assises sworn, and other inquests to be taken between the King and party, or party and party, do any thing take by them or other of the party plaintiff or defendant, to give their

**I**TEM quant al article fait des jurours lan xxxiiij est assenté & ajouste a ycele que si nuls jurours en assises jurees & autres enquestes aprendre entre le Roi & partie ou partie & partie riens preignent par eux ou par autres de la partie pleintif ou defendant pur dire leur verditz & de ceo soient atteint par proces

ces contenu en meisme l'article soit il a la suite de partie que vorra suivre par luy meismes ou par le Roi ou dautre persone queconque paie chescun des ditz jurours dis soit a tant come il avera pris & eit celuy que ferra la suite lun moite & le Roi lautre moite. Et que touz les embraceours damestner ou procurer tieles enquestes en pais par gain ou profit prendre soient puniz en meisme la manere & fourme come les jurours et si jurour ou embraceour issint atteintz neit dont faire gree en manere susdite eit la prisonne dun an. Et est l'entention du Roi grantz & communes que nul justice nautre ministre enquerget doffice sur nul des pointz de cest article mes seulement a la suite de partie ou dautre come dessus est dit.

office upon any of the points  
suit of the party, or of other, as

their verdict, and thereof be attainted by process contained in the same article, be it at the suit of the party that will sue for himself, or for the King, or any other person, every of the said jurors shall pay ten times as much as he hath taken; (2) and he that will sue shall have the one half, and the King the other half. (3) And that all the embraceors that bring or procure such inquests in the country to take gain or profit, shall be punished in the same manner and form as the jurors; (4) and if the juror or embraceor so attainted have not whereof to make gree in the manner aforesaid, he shall have the imprisonment of one year: (5) And the intent of the King, of the great men, and of the commons is, that no justice nor other minister shall inquire of this article, but only at the afore is said.

The punishment of embraceors.

None shall enquire of office of this statute, but at the suit of the party.  
5 Ed. 3. c. 10.  
Regist. 188.  
Rait. 145.

Other statutes made Anno 38 EDW. III. stat. 2.  
and Anno Dom. 1363.

Against provisors.

**PUR** nurrir amour paix & concorde entre leglise & le roialme & empescher & faire cesser les grantz malx perils & importables damages & grevances qont este faitz & avenuz en temps passe & avendront enapres si la chose seroit soefferte passer avant par cause de persones citations & autres qont passez avant ces hures & passent communement de jour en autre hors de la courte de Rome par my feintes ou faufes suggestions & propositions deceivantz le saint pierre encountre tout plein des persones du dit roialme sur causes dount la cognifance

**TO** nourish love and peace, and concord between holy church and the realm, and to appease and cause to cease the great hurt, perils, and importable losses and grievances that hath been done and happened in times past, and that shall happen hereafter, if the thing from henceforth be suffered to pass, because of personal citations, and other that be past before this time, and commonly doth pass from day to day out of the court of Rome by feigned and false suggestions and propositions against all manner of persons of the realm, upon causes, whose cognifance and final discussing pertaineth to our lord

4 Inst. 51.  
1 Ed. 1.



The several enormities of citations and impetrations of benefices obtained from Rome.

lord the King and his royal court; (2) and also of impetrations and provisions made in the said court of Rome, of benefices and offices of the church, pertaining to the gift, presentation, donation, and disposition of our said lord the King and other lay patrons of his realm, and of churches, chapels, and other benefices appropriated to cathedral churches, abbeys, priories, chantries, hospitals, and other poor-houses, and of other dignities, offices, and benefices occupied in times past and present by divers and notable persons of the said realm: (3) for the which causes, and the dependants thereof, the good ancient laws, customs, and franchises of the said realm have been and be greatly impeached, blemished, and confounded, the crown of our lord the King abated, and his person very hardly and falsely defamed, the treasure and riches of his realm carried away, the inhabitants and subjects of the realm impoverished and troubled, the benefices of the church wasted and destroyed, divine service, hospitalities, alms-deeds, and other works of charity withdrawn and set apart, the great men, commons, and subjects of the realm in holy and goods damnified:

ritee entrelevez & souztraitez les grantz communes & subgitz du dit roialme travaillez & en corps & en biens damagez :

### CAP. I.

*Persons receiving citations from Rome in causes pertaining to the King, &c. to incur the penalties of 25 E. Dw. 3. stat. 6.*

**O**UR sovereign lord the King, at his parliament holden at *Westminster* in the *utis* of *St. Hillary*, the thirty eighth year of his reign; having a regard to the quietness of his people, which he chiefly desireth to sustain in tranquillity and peace, to govern according to the laws, usages; and franchises

sance & finale discussion appartenant a nostre seigneur le Roi a sa courte roiale & autrement & ausli des impetrations & provisions faites en meisme la courte de Rome des benefices & offices desglise appartenantz a la donation presentation ou disposition nostre dit seigneur le Roi & dautres patrons lais de son roialme & des eglises chapeles & autres benefices appropries a eglises cathedrales collegiales abbaies priories chaunteries hospitalx & autres povres maisons & des autres dignitees offices & benefices occupez en temps passe & present par diverses & notables persones du dit roialme pur les queles causes & dependences dicelles les bones & auncienes lois usages custumes & fraunchises du dit roialme ount estez & sont moult grandement empeschez blemiz & confounduz la corone le Roi nostre seigneur abesse & sa persone moult durement & fausement diffamee les avoires & richesses du roialme emportez les heritances & subgitz dicelles empovriz & troublis les benefices desglises gastez & destruitz divin service hospitalites almoignes & altres oeuvres de cha-

**N**Ostre dit seigneur le Roi a son parliament tenuz a *Westm'* en les oytaves de *Seint Hiller* lan de son regne trente oytisme eiant regard a la quiete de son poeple le quel il desire tres souverainement a sustenir en tranquillite pais & repos & gouvernir solonc les lois usages & fraunchises de sa terre & sicomes tenuz

nuz y est par son serement  
 meuz en sa coronation en eide  
 confort du pape qi moult fo-  
 nt a ceste trublez par tieles &  
 semblables importuns clamours  
 impetrations & qi y meist  
 pluntiers covenable remede si  
 seyntetee estoit sur ces choses  
 fourmee & passant parmy les  
 vies de ses nobles progenitours  
 & queux pur le temps lors  
 surrant firent certeynes bones  
 ordeneances & ordenances en-  
 contre les avantditz grevaun-  
 ces & perils les queles ordinan-  
 ces & purveances & aussi toutes  
 autres faites en son temps &  
 par especial en lan de son regne  
 xv. & xxvii. Nostre dit seig-  
 neur le Roi de lassentement &  
 expresse volunte & concorde  
 des ducs contes barons nobles  
 & communes de son Roialme  
 & de touz autres qe la chose  
 touche par bone & meure deli-  
 beration & avisement a approve  
 & accepte & conferme sauf lestat  
 des prelatz & daltres seignurs  
 du roialme touchant la libertee  
 de leur corps si qe par force de  
 cest estatut leur corps ne soit  
 pris ajouttant a ycelles a  
 arveu & ordene qe touz ceuz  
 ont impetrez purchacez ou  
 arsuiz tiels personeles citations  
 & autres en aucun temps passe  
 ou impetreront purchaceront  
 ou pursueront semblables en  
 aucun temps avenir encountre lui ou  
 aucun de ses subgiz & aussi  
 touz ceuz qount impetrez ou  
 impetreront de la dite court  
 leances arcedeakenees provostes  
 & autres dignitees offices  
 chapelles ou autres benefices  
 de leglise quelconques appurte-  
 tantz a la collation donation  
 presentation ou disposition nos-  
 tre dit seigneur le Roi ou dautre  
 patron lai de son dit roialme  
 & aussi toutes semblables per-  
 sonnes

ses of his land, as he is bound  
 by his oath, made at his coro-  
 nation, following the ways of  
 his progenitors, which for their  
 time made certain good ordi-  
 nances and provisions against  
 the said grievances and perils;  
 which ordinances and provisi-  
 ons, and all the other made in  
 his time, and especially in the  
 twenty-fifth and twenty-seventh  
 year of his reign, our sovereign  
 lord the King by the assent and  
 expres will and concord of the  
 dukes, earls, barons, and the  
 commons of his realm, and of  
 all other whom these things  
 toucheth, by good and meet  
 deliberation and avisement, hath  
 approved, accepted, and con-  
 firmed, saving the estate of the  
 prelates and other lords of the  
 realm, touching the liberty of  
 their bodies, so that by force of  
 this statute their bodies be not  
 taken. Joining to the same hath  
 provided and ordained, That  
 all they which have obtained,  
 purchased, or pursued, such  
 personal citations or other in  
 any times past, or hereafter  
 shall obtain, purchase, or pur-  
 sue such like, against him or  
 any of his subjects, and also all  
 they that have obtained or shall  
 obtain in the said court, dean-  
 ries, archdeaconries, provosties,  
 and other dignities, offices,  
 chapels, or benefices of holy  
 church, pertaining to the col-  
 lation, gift, presentation, or dis-  
 position of our said sovereign  
 lord the King, or of other lay  
 patron of his said realm, and  
 also all like persons, obtainers  
 of churches, chapels, offices,  
 or benefices of holy church,  
 pensions or rents amortised and  
 appropriated to churches cath-  
 edral or collegial, abbies, pri-  
 ories, chanteries, hospitals, or  
 other

other poor houses, before that such appropriations, amortishments be void and adnulled by due process; also all they which have obtained in the same court, dignities, offices, hospitals, and any benefices of churches which be occupied at this present season by reasonable title by any persons of the said realm, if such impetrations be not fully executed, or shall obtain hereafter like benefices, whereby prejudice, damage, or impeachment hath been or may be done hereafter to him or to his said subjects, in persons, heritages, possessions, rights, or any goods, or to the laws, usages, customs, franchises, and liberties of his said realm and of his crown; also all their maintainers, counsellors, abettors, and other aiders and fauters wittingly, as well at the suit of the King as of the party, or other whatsoever he be of the realm, finding pledges and surety to pursue against them; in this case all the said persons defamed and violently suspect of such impetrations, pursuits, or grievances by suspicion, shall be arrested and taken by the sheriffs of the places and justices in their sessions, deputies, bailiffs, and other the King's ministers, by good and sufficient mainprise, replevin, bail or other surety (the shortest that may be) and shall be presented to the King and his council, there to remain and stand to right, to receive what the law will give them; and if they be attainted or convicted of any of the said things, they shall have the pain comprised in the statute made in the twenty-fifth year of the reign of our sove-

reign

rones impetrours desglises chapelles offices benefices desglises pensions ou rentes amorticez & appropriiez as eglises cathedrales ou collegiales abbayes priories chaunteries hospitalz ou autres povers maisons avant ceo que tielx appropriations & amortissementz soient cassez & anullez par due proces ensemble touz ceux qui ont impetrez en meisme la court dignities offices hospitalz ou benefices quelconques desglise que sont occupez au present par title raisonnable par aucuns personnes du dit roialme & tiel impetration ne soit ja pleinement execute ou impetront en apres semblables benefices par quoi prejudice damage ou empeschement a estez ou pourra estre fait en apres a lui ou a ses ditz subgiz ou personnes heritages possessions drotures ou biens quelconques ou a les lois usages costumes franchises & libertees de son dit roialme & de sa corone ensemble touz leur meintenours counseillours abbettours & autres aidantz & fauteurs scientement taunt a la suite le Roi come de la partie ou dautre quelconque de roialme trovantz plegges & seurete de poursuivre contre eux en ceo cas soient les dites personnes defames & suspectes violentment de tiels impetrations poursuite ou grevances arestuz & pris par les viscountes de lieux & justices en leur sessions deputez baillifs & autres ministres le Roi & par bone & suffisante mainprise repleviffement bail ou autre plegerie le plus brevement que faire se pourra soient ils presentez au Roi ou a son conseil pur y demurer & ester a droit & recevoir ceo que la loi leur donnera

donera

nera. Et fils soient atteintz  
convaincuz daucunes des  
es choses eient la penance  
mpris en lestatut fait en lan  
stre dit seigneur le Roi xxv.  
Vesim' &c.

reign lord the King, which be-  
ginneeth, *Whereas late in the par-  
liament, &c.*

25 Ed. 3. stat. 5.  
c. 22. & stat. 6.

que comence *Au parlement somons*

CAP. II.

*spected persons not appearing before the King's justices,  
after warning, to incur the penalty of 27 EDW. III. stat.  
1. cap. 1.*

T si aucunes persones dis-  
fames ou suspectes des  
es impetrations prosecutions  
evances ou entreprises soient  
rs du dit roialme ou dedans  
ne purront estre attachez ne  
stuz en leur propres persones  
ne se presentent devant le  
si ou son conseil dedeins deux  
ois prochain apres ce qils ser-  
ant sur ceo garniz en leur  
ux si aucuns en eient ou au-  
ns des courtz le Roi ou en les  
untees ou devant les justices  
Roi en leur sessions ou au-  
ment suffisamment par re-  
pondre au Roi & a la partie  
demurer & estre a la lei en  
cas devaut le Roi & son  
conseil soient puniz par fourme  
manere compris en lestatut  
lan xxvii. nostre seigneur le  
si que comence *Nostre seigneur  
Roi de lassent & a la priere &c.*  
autrement sicome afaire sem-  
era au Roi & a son conseil  
anz faire a aucune deulx par  
stre dit seigneur le Roi au-  
ne grace pardonaunce ou re-  
mission sanz la volente & as-  
sentement de la partie que se  
overa estre greve & sanz faire  
luy due satisfaction en ce  
s.

ITEM, if any person defamed  
or suspect of the said impe-  
trations, prosecutions, or griev-  
ances, or enterprises, be out of  
the realm or within, and may  
not be attached or arrested in  
their proper persons, and do  
not present them before the  
King or his counsel, within  
two months next after that they  
be thereupon warned in their  
places (if they have any) in  
any of the King's courts, or  
in the counties, or before the  
King's justices in their sessions,  
or otherwise sufficiently, to an-  
swer the King and to the par-  
ty, to stand and be at the law  
in this case before the King and  
his council, shall be punished  
by the form and manner com-  
prised in the statute made in  
the said seven and twentieth  
year of this King's reign, which  
beginneeth, *Our sovereign lord  
the King of the assent, &c.* and  
otherwise, as to the King and  
his council shall seem to be done,  
without any grace, pardon, or  
remission to be made by the  
King, without the will and  
assent of the party, which shall  
prove him to be grieved, and  
without making to him due sa-  
tisfaction in this case.

CAP. III.

*offenders to be out of the King's protection, and punished  
according to the statute of 27 EDW. III. stat. 1. cap. 1.*

ITEM ordeigne est que nul  
autre subget du dit roialme  
VOL. II. gar-

ITEM, it is accorded, That  
none other subject of the  
said

saïd realm, keeping and sustaining these ordinances, shall incur any forfeiture of life and member, of lands of heritage, nor of goods, against the King, nor none other person, nor lose estate nor favour because of the saïd things ordained, nor his heirs may not nor ought not to be reprovèd, defamed, nor impeached by any of the saïd causes at any time hereafter. And if any person, of whatsoever estate or condition that he be, by any manner, attempt or do any thing against the saïd ordinances, or any thing comprised in them, the same person shall be brought to answer in the manner as aforesaid; and if he be thereupon attainted or convict, he shall be put out of the King's protection, and punished after the form of the saïd statute made the saïd xxvii year.

gardant & sustentant ces ordonnances nencourage aucune forfaiture de vie de membre de tetres heritage ne de biens devers le Roi nautre persone quelconque ne ne perde estat ne faveur par cause de les susditz choses ordeins né lui ne ses heirs ne purront ne deveront estre reprovez diffameez nempeschez par aucuns des ditz causes en aucune temps avenir. Et si aucune persone de quelconque estat ou condition qil soit par quelconque manere que ce soit attempte ou face aucune chose a lencountre des dites ordonnances ou daucune chose comprise en ycelles soit la dite persone meïne a respounse en manere come dessus est dit & si elle serra sur ceo attainte ou convaincue soit mise hors la protection le Roi & puniz par fourme du dit estatut de lan xxvii.

## CAP. IV.

*The punishment of those who sue falsely and maliciously upon this statute. The consent of the King and parliament to impeach offenders against the same.*

**I**TEM, if any person maliciously or falsely make any pursuit against any person of the saïd realm, for cause comprised in these present ordinances, and thereof be duly attainted; such plaintiff shall be duly punished at the ordinance of the King and his council; and nevertheless he shall make gree and amends to the party grieved by his pursuit. And to the intent that the saïd ordinances, and every of the same, for the ease, quietness, and wealth of the commons, be the better sustained, executed, and kept; and that all those that have offended, or shall of-

**E**T si aucune persone face malicieusement ou fausement aucun poursuite encountre persone quelconque du dit roialme pur cause comprise en ces presentes ordenances & de ceo soit duement atteint soit tiel pleintif duement puniz a lordonnance du Roi ou de son conseil & nientmeyns face gree & lamende a la partie que a ellee grevee par sa pleinte. Et a fin que les dites ordenances & chescun dycelles pur aise quiete & bien commun soient le mieuz sustenuz executz & gardez & que touz ceux que ount mespris ou mesprendront encountre cestes ordenances par prosecutions

ions accusacions denunciacion  
 citations ou proces faites  
 en affaire hors du dit roialme  
 ou dedeins ou overtement con-  
 tre quelconque persone en ro-  
 ialme soient le plus convenable-  
 ment & promptement meismes  
 respons pur receyvre droit  
 along leur desert le Roi les  
 relatz les ducs countes barons  
 & nobles communes clerics  
 & lais sont tenuz par ceste pre-  
 sente ordenance a aider con-  
 porter & consailler lun a lautre  
 tant sovent que besoigne serra  
 par toutes les meillours ma-  
 neres que faire se pourra de pa-  
 ble & de fait pur empeschier  
 eux messieurs & resister de  
 fait a leur enterprises & sanz  
 se soeffrir habiter demorer ne  
 aller par leur seignouries pu-  
 sance terres jurisdictions ne  
 eux & sont tenuz de garder  
 & defendre lune a lautre de tout  
 damages vilainiez & reproves  
 come ils ferroient leur pro-  
 pres persones & pur leur fait &  
 besoigne & par tiele manere &  
 avant come tieles prosecuti-  
 ons ou proces fussent faites ou  
 teintez encoutre eux en spe-  
 al ou en commune.

send against these ordinances;  
 by prosecutions, accusacions,  
 denunciacions, citations, or o-  
 ther proces made or to be  
 made out of the said realm or  
 within, or otherwise against  
 any manner of person of the  
 said realm, be the more cove-  
 nably and speedily brought in  
 answer, to receive right ac-  
 cording to their desert: the  
 King, the prelates, dukes, earls,  
 barons, nobles, and other com-  
 mons, clerks, and lay-people,  
 be bound by this present ordi-  
 nance to aid, comfort, and to  
 counsel the one and the other;  
 and as often as shall need, and  
 by all the best means that may  
 be made of word and of deed,  
 to impeach such offenders, and  
 resist their deeds and enterpri-  
 ses, and without suffering them  
 to inhabit, abide, or pass by  
 their seignories, possessions,  
 lands, jurisdictions, or places,  
 and be bound to keep and de-  
 fend the one and the other  
 from all damage, villainy, and  
 reproof as they should do their  
 own persons, and for their  
 deed and business, and by such  
 manner, and as far forth, as  
 such prosecutions or proces

13 El. c. 2.  
 These offences  
 made high  
 treason.

ere made or attempted against them in especial, general, or  
 common.

statutes made at *Westminster*, Anno 42 EDW. III.  
 and Anno Dom. 1368.

CAP. I.

*confirmation of the Great Charter and the Charter of the  
 Forest, and a repeal of those statutes that be made to the  
 contrary.*

EN le parlement nostre seig-  
 neur le Roi tenuz a Westm'  
 premier jour de May lan de  
 son regne quarantisme second  
 assentu & accorde que la  
 grande Chartre & la Chartre  
 de

AT the parliament of our lord  
 the King, holden at West-  
 minster the first day of May, the  
 two and fortieth year of his reign,  
 (2) it is assented and accorded,  
 That the Great Charter, and

A confirmati-  
 on of the  
 Great Charter  
 and the Char-  
 ter of the Fo-  
 rest, and a re-  
 peal of those  
 statutes that

have been  
made to the  
contrary.  
4 Infl. 300.  
25 Ed. 1. c. 2.

the Charter of the Forest be  
holden and kept in all points ;  
(3) and if any statute be made  
to the contrary, that shall be  
holden for none.

de la Forette soient tenuz &  
gardez en touz pointz et si nul  
estatut soit fait a contraire soit  
tenuz pur nul.

## CAP. II.

*A writ of allowance of a pardon granted Anno 36  
EDW. III.*

Ex edit. Raft.  
Pardon.

**I**TEM, it is assented, That the pardon which the King made  
to his commons the xxxvi year be holden in all points ; and  
if any feel himself grieved against the form of the same, he shall  
have writ in the chancery to allow the points of the said par-  
don.

## CAP. III.

*None shall be put to answer an accusation made to the King  
without presentment.*

**I**TEM, at the request of the  
commons by their petitions put  
forth in this parliament, to es-  
chew the mischiefs and damages  
done to divers of his commons by  
false accusers, which oftentimes  
have made their accusations more for  
revenge and singular benefit, than  
for the profit of the King, or of his  
people, which accused persons, some  
have been taken, and sometime  
caused to come before the King's  
council by writ, and otherwise up-  
on grievous pain against the law :

(2) it is assented and accord-  
ed, for the good governance  
of the commons, That no man  
be put to answer without pre-  
sentment before justices, or  
matter of record, or by due  
process and writ original, ac-  
cording to the old law of the  
land : (3) and if any thing  
from henceforth be done to the  
contrary, it shall be void in the  
law, and holden for error.

None shall be  
put to answer  
to an accusa-  
tion made to  
the King with-  
out present-  
ment, or some  
matter of re-  
cord.

25 Ed. 3. stat. 5.  
c. 4.  
37 Ed. 3. c. 18.  
16 Car. 1. c. 10.

**I**TEM a la requeste de la  
commune par leur petition  
mis avant en ce parlement pur  
ouster meschiefs & damages  
faitz as plusours de sa dite com-  
mune par faux accusours qe  
sovent ont fait leur accusementz  
plus pur vengeance & singulere  
profit qe pur profit du Roi ou  
de son poeple queux accusez  
ont este aucuns pris & autres  
faitz venir devant le conseil le  
Roi par brief & autrement sur  
greve peine & encontre le leye  
est assentu & accorde pur le  
bone government de la com-  
mune qe nul homme soit mis  
a respondre sanz presentement  
devant justices ou chose de re-  
cord ou per due processe & brief  
original solonc laancien leye  
de la terre et si rien defore en-  
avant soit fait al encontre soit  
voide en leye & tenuz pur er-  
rour.

## CAP. IV.

*To what sort of people commissions of inquiry shall be granted.*

**I**TEM, because that commissi-  
ons have been made and grant-  
ed in divers counties, at the pro-  
curement of certain persons to  
in-

**I**TEM por ce qe commissi-  
ons ont este faitz & grantez  
en divers contees as procure-  
mentz de certains persones  
den-

denquere de certains articles  
 queux commissiioners font leur  
 enquerrees en places privees  
 & par gentz nient sufficeantz  
 & de leur covyn plus au pro-  
 fit de eux qe en avantage du  
 Roi ou de son poeple est assen-  
 tu & accorde qe desore en touz  
 enquerrez deinz la roialme soi-  
 ent commissiions faites as as-  
 uns des justices de lun bank  
 ou de lautre ou justices dalfises  
 ou justices de la pees ovesqe au-  
 tres de meulx vauz du paais  
 sbien pur profit du Roi come  
 de la commune sauve en loffice  
 eschetour en chose qe touche  
 telle office.

*inquire of certain articles, which  
 commissiioners have made their  
 inquiries in secret places, and by  
 people not sufficient, and of their  
 covyn, more to their private pro-  
 fit than for the King's advantage,  
 or of his people; (2) it is as-  
 sented and accorded, That  
 from henceforth in all inqui-  
 ries within the realm, commis-  
 siions shall be made to some  
 of the justices of the one bench,  
 or of the other, or justices of  
 assise, or justices of the peace,  
 with others of the most worthy  
 of the country, as well for the  
 King's profit as the commons,  
 saving in the office of the es-  
 cheatorship, or thing that touch-  
 eth the same office.*

To what sort  
 of people com-  
 missiions of in-  
 quiry shall be  
 granted.

## CAP. V.

*Of what sufficiency in land every escheator must be: he shall  
 execute his office in his own proper person.*

**I**TEM come contenue soit en  
 les estatuz ordenez pur  
 commune profit des eschetours  
 qe nul eschetour soit fil neit  
 sufficeantie de terre dont il poet  
 respondre au Roi & son poeple  
 est assentu qe nul eschetour soit  
 fait fil neit vint liverrees de terre  
 ou meins ou plus en fee & qils  
 facent leur office en propre per-  
 sone & si autre soit soit ouste.

**I**TEM, *whereas it is contained* <sup>14 Ed. 3. stat. 1.  
c. 8.</sup>  
*in the statutes ordained for  
 the common profit of escheators,  
 that none should be escheator unless  
 he have sufficient land, where-  
 of he may answer to the King and  
 to his people; (2) it is assented,  
 That no escheator shall be  
 made unless he have xx l. of  
 land at the least, or more, in  
 fee; (3) and that they do their  
 office in proper person; and  
 if any other be, he shall be put  
 out.*

Of what suffi-  
 ciency in  
 land every  
 escheator  
 must be.  
 He must do  
 his office in  
 proper person.  
 12 Ed. 4. c. 9.  
 1 H. 8. c. 8.

## CAP. VI.

*The statute of 25 ED. III. stat. 1. c. 1. concerning labourers,  
 &c. shall be executed.*

**I**TEM, it is accorded and assented, That the statute and or-  
 dinance made of labourers and artificers, be holden and kept  
 and duly executed. And thereupon commissiions shall be made  
 to the justices of peace in every county, to hear and determine  
 the points of the said statute, and to award damages at the suit  
 of the party, according to the quantity of the trespasss.

Ex edit. Rast.  
 Labourers and  
 artificers.  
 Commissiion.

Rep. 5 Eliz. c. 4.



## CAP. VII.

*Londoners and none other, shall sell victuals by retail.*

London vic-  
tuallers.

**I**TEM, it is accorded, That they of London and none other, shall sell at retail victuals only, and that of the King's special grace, till the next parliament, upon condition, that it be well ruled and governed in the mean time to the common profit. And it is the King's mind, that no prejudice be done to aliens, which have franchises by the King's charters.

## CAP. VIII.

*English merchants shall not pass into Gascoigne to fetch wines, nor shall buy any wines until they be landed.*

Wines.  
Gascoigne.

**I**TEM, it is assented and accorded, for the profit of the realm, That no Englishman shall pass into Gascoigne, to seek wines there, but they shall be brought into England by the Gascoins and other aliens, and thereupon defence shall be made through the realm. And that no Englishman put in the hands of the said Gascoins or aliens, nor thither send gold nor silver nor other merchandises, thereof to buy wines to the use of Englishmen, upon forfeiture of the gold and silver or merchandises so put in their hands or sent. And that all the ships of England and of Gascoigne that cometh into Gascoigne, shall be first freighted to bring wines into England before all other, and that no Englishman bargain nor buy such wines coming into England, before that they be put to land, according to the form of the said statutes thereof made. And this ordinance shall hold place from the gule of August next ensuing forward. And that no warrant be made to any Englishman to the contrary.

Gold and sil-  
ver.

English ships.

Altered by  
43 Ed. 3. c. 2.

Rep. Eliz. c. 5.  
3 Bulstr. 21.

## CAP. IX.

*Estreats shall be shewed to the party indebted, and that which is paid shall be totted. No sheriff, &c. shall continue in office above a year.*

Estreats shall  
be shewed to  
the party in-  
debted, and  
totted.  
3 Ed. 1. c. 19.  
7 H. 4. c. 3.

**I**TEM, whereas the green wax is sent to sheriffs to levy the King's debts, the sheriffs ministers do levy the same by rolls, and other remembrances, and do not shew the same estreats under the seal of the exchequer, so that which is once levied, cometh another time in demand, because that they do not charge them fully of that which is levied, in deceit of the King, and impoverishment of his people; (2) It is ordained and assented, That a man shall see the same estreat sealed, and that the same which is paid, be totted,

**E**Nsement par la ou en la verte cie est mande a visconte pur lever les dettes le Roi les ministres des viscontes les levent par roules & autres remembrances & ne monstrent les dites estretes desouz le seal del eschequier issint qe ce qest leve une foitz vient autrefoitz en demande par cause qils ne se chargent au plein de ce qest leve en deceit du Roi & impoverissement de son poeple est ordene & assentu qe homme veie les dites estretes enseallees & qe ce qest paie soit tottee &

meismes les estretes mandez viscontes sur la receite. Et si euns viscontes ou ministre ou contraire soit tenuz de spondre a la partie qe de ce soit et pleindre de ses damages a ble & face fin ou Roi. Et soit sa seute sibien devant justice de la pees come devant autres justices. Et qe viscontes soient tenuz d'accompt par meismes les estretes issint tottes & par nul autre. Et ne soient les estretes doubles par les viscontes mais copie de les estretes en qant touchent franchises des seignars soient livrees as baillifs franchises souz le seal du visconte & qe meismes les baillifs rendent leur accompt en chequier par meismes les copies issint livrees. Et ensement nul visconte souz visconte ne perc de visconte demoerge en son office outre un an come ne de viscontes par taturz.

ted, and the same estreats sent to the sheriffs upon the receipt. (3) And if any sheriff or minister do to the contrary, he shall be charged to answer to the party, which thereof will him complain, his treble damages, and make fine to the King. (4) And that he have his suit as well before justices of the peace, as before other justices. (5) And that the sheriffs be bound to accompt by the same estreats so totted, and by none other. (6) And the same estreats shall not be doubled by the sheriffs, but the copy of the estreats, wherein they touch the franchises of lords, shall be delivered to the baillifs of the franchises under the seal of the sheriff, and that the same baillifs yield their accompt in the exchequer by the same copies so delivered. (7) And also that no sheriff, undersheriff, nor sheriff's clerk, abide in his office above one year, as it is ordained by the statute.

Sheriffs shall accompt by Estreats totted and none other.  
14 Ed. 3. stat. 1.  
c. 7.  
23 H. 6. c. 8.

6 H. 8. c. 13.

### C A P. X.

*Children born beyond sea in the King's dominions shall be inheritable in England.*

ITEM, upon the petition put in the parliament by the commons, desiring that infants born beyond the sea, within the signories of *Calais*, and elsewhere, within the lands and signories that pertain to our lord the King beyond the sea, be as able and inheritable of their heritage in *England*, as other infants born within the realm of *England*: It is accorded, That by the common law, and the statute upon the same point another time made, be holden.

Infants born in *Calais* shall be inheritable in *England*.  
25 Ed. 3. stat. 2.

### C A P. XI.

*Copies of panels shall be delivered to the parties six days before the sessions.*

ITEM porce qe diverses meschies sont avenuz par cause de les panelles des enquestes sont este prises devant justices par brief de Scire facias & autres

ITEM, forasmuch as divers mischiefs have happened, because that the panels of inquests which have been taken before justices by writ of Scire facias, and

Copies of panels shall be delivered to the parties before the justices sessions.

6 H. 6. c. 2.  
By 7 W. 3. c. 3.  
sect. 7. Persons  
tried for high  
treason, &c.  
shall have co-  
pies of the  
panel, &c.

*other writs, have not been return-  
ed before the sessions of the justices  
at the Nisi prius, and otherwise,  
so that the parties could not have  
knowledge of the names of the per-  
sons which should pass in the in-  
quest, whereby divers of the peo-  
ple have been disherited and op-  
pressed; it is ordained, That  
no inquest, but assises and deli-  
verances of gaols, be taken by  
writ of Nisi prius, nor in other  
manner, at the suit of any  
great or small, before that the  
names of all them that shall  
pass in the inquests be return-  
ed in the court. (3) And that  
the sheriffs array the panels in  
assises four days at the least be-  
fore the sessions of the justices,  
upon pain of twenty pound,  
so that the parties may have the  
view of the panels, if they the  
same demand. (4) And as to  
the return or answer of the bai-  
liffs of franchises, they shall  
make their answer to the she-  
riff six days before their session  
upon the same pain. (5) And  
in all manner of panels arrayed  
by the sheriffs or bailiffs with-  
in franchise, shall be put the  
most substantial people, and  
worthy of credit, and not sus-  
pected, which have best know-  
ledge of the truth, and be  
nearest.*

tres briefs nont pas este re-  
tournez devant les sessions des  
justices a la Nisi prius & autre-  
ment si que les parties ne pur-  
rent avoir conissance des nouns  
des persons que passeront en len-  
queste par quei plusieurs gentz  
ont este desheritees & subduitz  
si est ordene que nulle enqueste  
forspris assises & deliverances  
des gaoles soient prises par brief  
de Nisi prius ne en autre ma-  
nere a suite de nully grant ne  
petit avant ce que les nouns de  
touz yceux qi passeront en les  
enquestes soient retournees en  
courte. Et que les viscontes ar-  
raient les panelles en assises  
quatre jours a meinz devant la  
session des justices sur peine de  
vint livres issint que les parties  
peussent avoir la veue des pa-  
nelles sils le demandent. Et  
quant a retourne ou respons  
des baillifs des franchises fa-  
cent leur respons as viscontes  
par sis jours devant leur session  
sur meisme la peine. Et en  
toute manere des panelles ar-  
raiez par viscontes ou baillifs  
deins franchise soient mis les  
meulz vauetz sufficeantz & dig-  
nes de foy & nient suspectz  
qont meillour conissance de la  
verite & plus profcheins.

What sort of  
persons shall  
be returned  
upon inquests.  
23 Ed. 1. stat. 1.  
c. 30.  
28 Ed. 1. stat. 3.  
c. 9.  
20 Ed. 3. c. 6.  
34 Ed. 3. c. 4.  
Regist. 178.  
Rait. 117.

Statutes made Anno 43 EDW. III. and Anno Dom.  
1369.

EDWARD par le grace de Dieu Roi d'Engleterre & France & seignur d'Irland sire visconte de Stafford sire visconte de Stafford sire. Come nadgairs estoit deigne pur profit du roialme des marchantz d'Engleterre que lestaples de leins peaux suz & quirs ferroient tenuz a leins & illoeqes ad este puis le premier jour de Marcz lan de nostre regne trent septisme & se par cause que la pees autreitz pris parentre les roialmes Engleterre & de France est entre les Franceys enfreint & tant peril de perde purroit avecer as biens du roialme illoeqes teantz & venantz par mere a mesme lestaple hors d'Engleterre si mesme lestaple feusse illoeqes contenue & sur ce les delatz grantz & communes tantz les meschiefs & perils que purroit avenir a les biens et merchandises celle partie prient a nostre seignur le Roi en cest present parlement tenuz Westm' a les oetaves de la trinite lan de son regne d'Engleterre quarante tierce sur ce deigner remedie.

EDWARD, by the grace of God, &c. to the sberiff of Stafford, greeting. Whereas of late it was ordained for the profit of the realm, and ease of merchants of England, that the staple of wools, woolfels, and leather should be holden at Calais, and there it hath been subence the first day of March, the seven and thirtieth year of our lord the King that now is: (2) and now because the peace another time taken between the realms of England and France is by the Frenchmen broken, and great peril might come to the goods of the realm there being, and coming by the sea to the same staple out of England, if the same staple were there continued: and thereupon the prelates, great men, and commons seeing the mischiefs and perils which may happen to the goods and merchandises in this behalf, pray the King in this present parliament holden at Westminster, at the utas of the holy Trinity, the three and fortieth year of his reign, thereupon to ordain remedy.

The danger which might ensue by keeping the staple at Calais.

### CAP. I.

*the wool staple at Calais removed, what towns in England it shall be holden at, and the former appointment of the Irish and Welsh staples confirmed.*

OUR sovereign lord the King, having thereupon full deliberation and advisement with his great council, hath ordained; That the staples of Calais, &c. shall be wholly put out, and the staples of wools, woolfels, and leather of the realm of England, shall be holden in the places under-written, that is to say, Newcastle, Kingston upon Hull, Saint Botolph, Yarmouth, Queenborough, Westminster, Chichester, Winchester, Exeter, and Bristol. And the staples of Ireland and of Wales shall be in the places

27 Ed. 3. stat. 2.  
c. 1.  
Staples.

Merchants  
aliens.

Wools, wool-  
fels, and lea-  
ther.

Mayor of the  
staple.

Customers and  
comptrollers.

Denizen.

Ship.

places where they were first ordained. And moreover it is ordained, That all merchants, aliens and denizens, may freely go through *England, Ireland, and Wales*, and buy and sell wools, woolfels, and leather, and all other merchandises at their will, without impeachment or disturbance; so that no wools, woolfels, nor leather, shall pass out of the realm of *England, Ireland, nor Wales*, till they be brought to the staples, and there weighed, cocketted, and customed. And that all the wools that shall be brought to the staples at *Westminster* and *Winchester*, shall be betwixt merchant and merchant, or merchants and other, lawfully weighed by the standard. And every sack and sarpler of the same wools so weighed, sealed under the seals of the mayor of the staple, and of the constables, or mayor and one of the constables. And also that all the wools so weighed and sealed at the staples, and leather and woolfels that there shall come (the customs of the staples thereof paid) shall be witnessed by bill, ensealed of the seals of the mayor of the staple and constables, or mayor and one of the constables, and brought from *Westminster* to the port of *London*, and from *Winchester* to the port of *Southampton*. And there the said wools shall be another time weighed in the presence of our customers and comptrollers assigned in the same ports. And an indenture shall be made between the mayor of the staple and the constables, or mayor and one of the constables being in the said ports, and our customers there, of all the wools so weighed, and also of the leather and woolfels, which shall come to the same staple to pass there. And the same wools, leather, woolfels, and all other wools, well and lawfully weighed, cocketted, and customed in the other ports and staples aforesaid, shall be brought out of the said realm and lands by aliens, to what part shall please them at their wills, and not by denizens. And if any denizen do against the same, he shall incur the forfeiture of the wools, leather, and woolfels so passed, and of imprisonment of his body by three years, and moreover be ransomed at the King's will: and the ship charged with the same merchandises, to whomsoever he be, shall be forfeit to the King.

### C A P. II.

*The conditions on which English, Irish, and Welshmen, not being artificers, may import wine from Gascoigne, notwithstanding the statute of 42 ED. III. c. 8.*

3 Bullr. 21.

Wines.

**I**TEM, whereas in the parliament holden in the forty-third year, it was ordained, That no Englishman should pass into Gascoigne to fetch wines there, but that the wines should be brought into England by the Gascoigns and other aliens; and though that the said ordinance hath been by assay profitable to all the realm, nevertheless, at the request of his dear-beloved son the prince, which hath oftentimes complained, that his subsidies and customs of wines, in his principality of Guion, have been abridged and minished, because that Englishmen do not come there to buy wines, as they were wont, and by so much a great part of the wines be not sold. The King will and granteth, of the assent of  
- the

prelates, great men, and commons, That all *Englishmen*, *Frenchmen*, and *Welshmen*, that be not artificers, may freely pass into *Gascogne*, to fetch wines there, finding sufficient surety before his passage, before the mayor, or bailiffs, where no mayor is, the town or port, where he shall pass, that he shall buy in *France* an hundred tons of wines and not less, of his proper goods and of others, and bring the same into *England*, *Wales*, or *Ireland*, and to no place elsewhere. And if it be otherwise done by any *Englishman*, *Welshman*, or *Irishman*, the wines, and ships bringing the same wines, shall be forfeit to the King, and every of them shall have one year's imprisonment, and moreover be punished at the King's will. And if any *Englishman* pass into *France* without finding such surety, he shall incur the forfeiture of all his goods to the King. And the said sureties shall be certified and returned in the King's chancery, by the said mayor and bailiffs, or by the bailiffs where no mayor is, two times by year, that is to say, at the *utras* of Candlemas, and at the *gule* of *August*. And if any mayor or bailiff suffer any *Englishman* to pass till he have found such surety, or they do not certify in the chancery in the manner as is aforesaid, they shall have one year's imprisonment of their body, and moreover be punished at the King's will. And it is not the mind of the King, the great men, nor of the commons, that the ordinance made of the said wines, the said *xliii*. year, be repealed or adnulled, but shall abide in suspence till a man may see what profit or damage this present grant hereafter shall do in the realm. And the King will that the *Gascoigns* and their servants, and all other, whensoever please them, may come with their wines into *England*, *Wales*, and *Ireland* as freely and in the manner as it was ordained in the said *xliii*. year, or in any time before.

## CAP. III.

The King's butler, or his lieutenants, shall take no more wines than is commanded.

ITEM par ce que les grantz & communes du roialme avant ces heures & ore en ce parlement si sont moult durement contraintz de ce que le botiller le roi & ses lieutenantz en divers portz & lieux du roialme ont embracez & pris par colour de lour offices pur loistiel & despens du Roi plus grant ombre des vins que mestier ou besoigne ne fuist pur le dit hoistiel et despens et par tiel colour ont arestuz les vins de marchantz amenez en dit roialme et tenuz si longement en arrest que les grantz et autres du dit

ITEM, forasmuch as the great men and commons of the realm before this time, and now in this present parliament, have grievously complained, for that the King's butler and his lieutenants in divers places and ports of the realm, have ingrossed and taken by colour of their office, for the house and expences of the King, and by such colour have arrested the wines which merchants brought into the said realm, and holden them so long in arrest, that the great men and commons, and other of the realm, cannot thereof make their purveyance, nor merchants their

Gascogne.  
Mayor, bailiff.

Ships.

Chancery.

Gascoigns.

4 Inst. 30.

*their profit, and oftentimes by such colour have ingrossed and taken of them so many tuns of wine above that was needful for the King, that they have commonly sold the same, and thereof made their singular profit, and as much as other merchants and vintners in the realm, to the great damage of the said merchants and other :*

The King's butler shall take no more wine than he is commanded.

(2) whereupon the King desiring to ordain remedy, of the assent of the great men and commons in this present parliament hath ordained, That the butler, nor any of his lieutenants, shall not buy, ingross, nor take by colour of their office, nor in other manner to their proper use, nor of others, more wines for the house and expence of the King than they have in commandment, upon pain of imprisonment of their bodies, and to be ransomed at the King's will. (3) And as much as they take by force of the said warrant, shall be taken within ten days, and (that done) the merchants of the said wines may, and it shall be lawful to them, of the remnant of the said wines another time to make their profit, notwithstanding any arrest made upon such wines by the butler, or any of his lieutenants aforesaid.

The King's butler shall take his wine within ten days.

2 Bulfr. 254.

25 Ed. 3. stat. 5. c. 21.

6 Geo. 1. c. 12.

dit roialme nont poier faire lour purveances ne les marchantz lour profit et sovent souz tiel colour ont embracez et pris devers eux tant des vins outre ce qe mestier nestoit pur le Roi qils les ont communement venduz et ent fait lour singular profit auxi avant come autres marchantz ou vynters du roialme au grant damage des ditz grantz marchantz et autres sur quoi le Roi desirant y mettre remede ad ordeine del assent des ditz grantz et communes en ce parlement qe le botiller ne null de ses lieutenantz nachate nenbrace ne ne preigne par colour de lour office nen autre manere a lour oepe propre ne dautri plus des vins pur lostiel et despens du Roi qils naveront en mandement sur peine demprisonement de lour corps et deltre reint a la volunte le Roi. Et quanqe ils prendront par force du dit garrant serra pris dedeins x. jours et fait purront les marchantz des ditz vins et bien life a eux de remanant des vins deslors faire lour profit nient contreestrant ascun arest sur tieux vins faitz par le botiller ou ascun de ses lieutenants sulditz.

#### CAP. IV.

*The King's general pardon to all men of vert and venison, saving to the officers of his forest, &c.*

Pardon of vert and venison.

**I**TEM, because that the commons of the said realm have prayed the King, that it may please him, to pardon them of his special grace, all the trespasses done in the forests in times past: The King, having regard to the great aids, which his said commons have oftentimes done to him, and the charges which they in sundry manners have sustained, of his special grace hath released and pardoned to his said commons, and to every of them, every manner of trespass of vert and venison done before this time in his forests, and the price and forfeiture of vert, and also all the fines, americiaments, and ransoms made or to be made by this cause.

And

If any of the said commons at this time be arrested, imprisoned, or let to mainprife for such cause, they shall be instantly released and delivered free and quit, and their mainprisors also, except exprelly the justices, agistors, chief keepers of forests, parks, and chaces, as well in fee as otherwise, and all others, and verdours: regardors and agistors, lieutenants of forests, under-foresters, and all their servants and sellers of lands and underwoods, and all other ministers of the King's forests, parks, and chaces, whom the King will not to be commended in this pardon. *And therefore we command thee, That thou observe the said ordinances to be cried and published in cities, boroughs, ports of the sea, and all other places within the bailiwick, as well within franchise as without, in places where to thee shall seem convenient, and the same do to be firmly holden and kept according to the said tenor of the same. Dated, &c.*

Eodem modo mandatum est singulis vicecomitibus per Angliam.

Statutes made at *Westminster*, Anno 45 EDW. III.  
and *Anno Dom.* 1371.

## CAP. I.

*Confirmation of the Great Charter, and the Charter of the Forest in all points.*

Un parlement somons à Westminster lundy en la priere semaine de quarresime du regne le Roi EDWARD par puis le conquest quarante quint entre autres choses soit ordeine et establi que la Grand Chartre et la Chartre de la Foreste soient tenuz et gardez en touz pointz.

AT the parliament summoned at Westminster the Monday in the first week of Lent, the five and fortieth year of the reign of King EDWARD the third, it is ordained, That the Great Charter and the Charter of the Forest be holden and kept in all points.

A confirmation of the Great Charter and the Charter of the Forest.

## CAP. II.

*The penalty of him that setteth up or enhanceth wears.*

ITEM come en lestatut fait à Westminster lan vint quint entre autres choses estoit ordeine et accordees que porce que communes passages des riens et baux en les grantz rivières d'Angleterre si furent souvent foitz esbourbees par le lever des moulins estanks estaches et kideulx en grant damage et poeple accorde feust et establi que touz tieux gortz moulins estankes

ITEM, whereas in the statute made at Westminster, in the five and twentieth year, amongst other things it was ordained, That because the common passage of ships and boats in the great rivers of England, were often disturbed by the levying of wears, mills, flanks, stakes, and kiddles, which were levied and set up in the time of the King's grandfather, in great damage of the people; (2) it was

A confirmation of the statute of 25 Ed. 3. stat. 4. c. 4. concerning the pulling down of wears.



accorded and established, That all the wears, mills, stanks, stakes, and kiddles, which were levied and set up in the time aforesaid and after in such rivers, whereby the ships and boats were disturbed, that they might not pass as they were wont, should be cut, and wholly pulled down without repairing; (3) and thereupon writs should be made and sent to the sheriffs of places where it should be needful to survey, enquire, and to make thereof execution, and also that justices be thereupon assigned at all times when need shall require. (4) And now at the grievous complaint of the great men and the commons made in this present parliament, complaining by their petition, that the statute is not duly executed nor kept, according to the effect of the same; (5) it is accorded and established, That the said statute in this point be holden and kept, according to the effect of the same: joining thereto, that if any such annoyance be done, it shall be pulled down by due process contained in the said statute. (6) And he that shall repair the same annoyance, and thereof be duly attainted, shall incur the pain of an hundred marks to the king, to be levied by estreats of the exchequer. (7) And the like law shall hold of annoyance made by enhansing of such wears, mills, stanks, stakes, and kiddles, as by the new levying.

estankes estaches et kideulx que seurent levez et mys en temps le Roi lai el et depuis en tieux rivièrs par queux les niefs et bateulx seurent destourbeez quilz ne poent passer come ils soleient serroient oustees et nettement abatuz faunz estre levez se serroient sur ce briefs maundeuz as viscontes des lieux ou mestir serroit ne surveer et enquere et de faire ent execution et aussint que justices serroient sur ce assignez a toutes les foitz qil busoigneroit. Et ja a la grevouise plainte des grantz & communes faite en cest present parlement compleignantz par leur petition que le dit estatut nest pas duement execut ne garde solonc leffect dycele est accorde et establi que le dit estatut en ce point soit tenuz et garde solonc leffect dycele ajoutant a ycele que si nul tiele anufance soit abatuz par due proces contenuz en le dit estatut cely qi ferra relever le dit anufance et de ce soit atteint duement encourage la peine de cent marcs devers le Roi a lever par estrete en Leschequer. Et autiele ley se tiegne danufance faite par le enhancer des tieux gortz molyns estankes estaches et kideulx come par novel lever.

The penalty of him that setteth up again wears, or doth enhance them.  
1 H. 4. c. 12.

### C A P. III.

*A prohibition shall be granted where a suit shall be commenced in a spiritual court for Sylva cædua.*

2 Inst. 643 —  
645.  
Cro. El. 1. 477.  
736.  
Cro. Jac. 100,  
133.  
A prohibition shall be grant-

**I**TEM, at the complaint of the said great men and commons, shewing by their petition, That whereas they sell their great wood of the age of twenty years, or of greater age, to merchants to their own

**I**TEM a la plainte des ditz grantz & communes monstrantz par leur petition que come ils vendent leur gros boys d'age de vint ans ou quarante ans ou de greindre age as marchantz

chantz en profit de eux mesmes et en eide du Roi en sa guerre parsones et vikers de Seint esglise les ditz marchantz empledent et travaillent en court Cristien pur les dismes du dit boys en noun de ceste parole silve cedue par quoi ils ne poeient vendre leur boys a verroie pris a grant damage de eux et de roialme est ordeine et establi qe prohibition en ce cas soit grantee et sur ce attachement come ad est avant ces heures.

*own profit, or in aid of the King in his wars, (2) parsons and vicars of holy church do implead and draw the said merchants in the spiritual court for the tythes of the said wood in the name of this word called Sylva caedua, where- by they cannot sell their woods to the very value, to the great damage of them and of the realm; (3) it is ordalned and establihed, That a prohibition in this case shall be granted, and upon the same an attachment, as it hath been used before this time.*

ed where a suit is commenced in the spiritual court for Sylva caedua.

Regist. 44.  
Fitz. NB. 54. b.  
Rast. 489.

## CAP. IV.

*No imposition shall be set upon merchandises of the staple, without the assent of parliament.*

**I**TEM est accorde et establi qe nul imposition ou charge soit mys sur les leines pealx lanuz ou quirs autre qe la custume et subside grantez au Roi nulle part sanz assent du parlement et si nul soit mys soit repelle et tenuz pur nul.

**I**TEM, it is accorded and established, That no imposition or charge shall be put upon wools, woolfels, and leather, other than the custom and subsidy granted to the King, in no sort, without the assent of the parliament; and if any be, it shall be repealed and holden for none.

11 R. 2. c. 9.  
No new imposition shall be put upon wools without assent of parliament.

Rotulus parliamenti de anno Regis EDWARDI  
Tertii quadragesimo sexto. \*

*Ex Rot. in Turr. Lond.*

**E**N le parlement somons a West' Lendemayn des Almes lan du regne le Roi EDWARD tierce quarant sime adeprimes per cause qe les grantz et communes sbrions au parlement ne estoient venuz fast le dit parlement ajourne tanqe Vendredi suant quel jour, &c.

From Mr. Cay's edition.

Les petitions queles les communes avoient mis en parlement et les respns sur eles donez furent luez et auxi une ordenance faite

\* As one of the ordinances of this parliament is printed as a statute in the preface to the third part of Lord Coke's Reports, fo. 4. a. and is cited as such in Colonel Sidney's trial, 35 Car. 2. and in Lord Preston's trial, anno 2 Will. & Mar. The ordinances are printed here, with so much of the record, as may shew that they were not made till after the dismissal of the knights of shires, which irregularity might perhaps be the reason, why they were not entered upon the statute-roll, or printed in the Statute-book before.

faite en mesme le parlement en manere qensuit pur ce qe gentz de ley qi pursuent diverses bufoignes en les courts le Roi pur singulers persones ove queux ils sont procurent et font mettre plusieurs petitions en parlement en noun des communes qe rien leur touche mes soulement les singulers persones ove queux ils sont demorez auxint viscontz qi sont communes ministres au poeple et devient demurer sur leur office pur droit faire a checunz sont nomez et ont ete devant ces heures et retournez en parlement chivalers des countees per mesmes les viscontz est accorde et assentu en cest parliament qe desormes null homme de ley pursuant bufoignes en la court le Roi ne viscont pur le temps qil est viscont soient retournez ne acceptez chivalers des countees ne qe ces qi sont gentz de ley et viscontz ore retournez en parlement eient gages mes voet le Roi qe chivalers et serjantz des meulx vaues du paies soient retournez desore chivalers en parlementz et qils soient esluz en plein countee et apres ce conge done as chivalers des countees a departir et de suer leur briefs pur leur despenses et issint departirent ils mes comande feust as citizens et burgeois qestoient venuz au dit parlement qils demurassent pur ascuns causes queux citizeins et burgeois mesme le jour apres assemblez devant le prince et autres prelatz et grauntz en une chambre pres la blanche chambre feust monstre a eux coment estoit graunte pur un certain terme pur le sauf et seure conduction des niefs et merchandises venantz en ceste terre per meer et passant dycelle un subside cestassavoir de checun tonell de vyn venant en ceste terre deus soldz et de checun livre de qeconque merchandie qe ce feust venant ou passant vi d. quel terme est ja passe qe ils voloient avoir consideration as perils et mischiefs qi poent avenir a leur niefs et merchandises per les enemys sur la meer graunter un autiel subside a durer per un an pur les causes suisdites quel subside ils graunteront au Roi a prendre & lever en manere come estoit pris et leve lan darein passe & issint departirent.

Les petitions des communes et de citizens et burgeois et les respons sur ycelles faites sont en un rouelle attache & cusa a cestes.

A leur tresdoute et gracieuse seigneur le Roi supplie sez poures liges communes qe la Grande Chartre et la Chartre de la Foreste & touz les autres estatuz faitz per nostre dit seigneur le Roi et sez progenitours en amendement de son roialme et a tranquillite & ease de son poeple soient tenuz gardez et dument executz en touz pointz.

**I**TEM prie la dite commune qe nul homme petit ne grant de quel condition qil soit ne attempte ne pursue brief nen autre manere face chose a contrere des estatuz faitz en temps nostre seigneur le Roi ne ses nobles progenitours en plein parlement nencontre lestatut qe serra fait en cest present parlement ne qe nul homme ne soit restreint ne article de nul estatut repelle per les  
prives

prives de conseil nostre seigneur le Roi nen autre manere sanz assent de parlement et si aucun persone soit trouve qe face alean-  
contre soit greve peyne mys sur lui en cest present parlement.  
R. *Le Roi voet qe les estatuz soient tenuz & gardez.*

**I**TEM prie la commune come autrefoith nostre seigneur le Roi de sa grace especial en relevation et ease de son poeple granta general pardon a sa dite commune des touz maners trespasses mes-  
prisions negligences et ignorances des totez articles de eyr dount le punissement cheroit en fyn ou en raunson ou en autre ma-  
nere peine pecuniele et des autres plusours mesfaites per son dit poeple perpetrez devant la date de dit pardon grantant oultre qe nul homme fuisse empesche mys a respouns ne processe fait de nul point contenue en ycelle come plus pleinement est contenu el dit pardon ore tarde plusours gentez de roialme des diverses conditions sibien merchantz come autres sont empeschez en di-  
verses places nostre seigneur le Roi sibien en leschequer come ail-  
lours des diverses trespasses faitz devant le dit pardon per force des enditementz malicieux sur eux faitz et les justices et barons del eschequier ne voillent a eux le dit pardon allower pur soleins interpretations queux ils fount de dit pardon a grant em-  
poverissement de la commune qe pleise a nostre dit seigneur le Roi et as pieres de la terre qe tiels recordes queux pendent de-  
vant justices ou barons soient vewez en parlement issint qe juge-  
ment se face solom leffecte et verroie entent de la petition de poeple adonqz prie et si les paroles contenuz en le dit pardon ne soient trovez assez suffisantz reles et descharge a poeple qe pleise a Roi renforcer le dit pardon per overtes paroles affyn qe totez tiels trespasses forsfaitures & mesprisions purroient plenerement estre releffez en totez tieux cas solom leffecte & lentente de dite petition. R. *Le Roi voet qe le pardon estoise en sa force & si nul soit greve de faite a contrarie monstre en especial & droit lui serra fait.*

**I**TEM prie la commune qe come les marchantz & mariners Dengleterre qe xx ans passez & toutdiz adevant la navie de dit roialme estoit en touz portz & bones villes sur mier & sur ryvers si noble & si pleintivouse qe toutz les pays tenoient & appelloient nostre avantdit seigneur le Roi de la mier & lui & tout son pays dotoient le plus per mier & per terre per cause de la dite navie et ore il est ensi desencresceez & anientyz per diverses causes qe apoy ylia demure sufficientis a defendre la dite pays si grant mestier estoit encontre roial poiar y fuisse a grant perille communement de tout la roialme les queux causes serroit trop longe des toutz escrire mes une cause est principal la longe arrest qe sovent ad este fait sur les niefs en temps de guerre cestassavoir per un qarter dan ou plus avant qils passent hors de leur portz sanz rien prendre pur les gages de leur mariners durant cell temps ou les seignurs des niefs rien prendre de guerdon pur les appareilementz de leur ditz niefs & custages dount ils prierent en covre de charite convenable remedie. R. *Y plest au Roi qe la*  
VOL. II. navie

*navie soit meintenus & gardee a greindre ease & profit qe faire se poet.*

**I**TEM purceque diverses meschiefs & desheritefons sont avenuz as diverses gentz de roialme per cause qe eschetours & autres ministres nostre seignur le Roi ount seizez plusours terres & tenementz en la main nostre dit seignur le Roi come forsfaitz a Roi pur treson ou felonie surmys en persones mortz qe unques en leurs vies furent atteintz dount les ditz communes prient qe terres & tenementz de queconques persones deviantz a la foie & ligeance nostre dit seignur le Roi ne soient deformes seizez ne tenuz come forsfaitz per cause de nulle felonie ne treson surmys es persones mortz. *R. Le Roi voet qe lestatut en ce cas fait soit tenuz.*

**I**TEM prient les communes de les countees de Somersset & Wiltes' qecome la ryvere apelle Avene perentre la citee de Bathes & la ville de Bristuo currant en partie perentre les countees de Somersset & Glouc' per la quele vitailles as diz communes necessaires en craers & batailles poent estre amegnez & nemye per terre per obstacle de marreys pet gorfes de pierre & pale en le dit ryvere mys & faitz & la terre dun part & dautre de dit ryvere enhaufe entaunt qe lewe est estoie arte & constreint qe terres prees & pastures adgisantz sont enoundeiz & per quele les ditz terres prees & pastures sovent sont destruetz & le passage des ditz craers & batailles ove vitailles et autres necessaries pur les ditz communes perentre les avantditz lieux sont destourbez en damage & grevance des ditz communes dount ils prient remede qe les ditz gorfes purreint estre abatuz ou overez issint qe les craers et les batailles purront passer entre les deux villes en ease des communes avantditz. *R. Pursue celui qi se sent grevuz et droit lui serra fait solonc la fourme de lestatut en ce cas ordeine.*

**I**TEM a nostre dit seignur le Roi et a son dit conseil prient les communes qecome il estoit per lui grante qe nul purveioir fuisse fil ne fesoit son paiement sur laccat qe pleise a lui qe ceste ordeinance soit tenuz come il estoit grante. *R. Il plest au Roi & celui qi se sente grevez pursue & droit lui serra fait.*

**I**TEM prie la commune qecome einz ces heures la ou plee ad este pendant entre nostre seignur le Roi et autres de communes de roialme si bien en leschequer come aillours certains ministres de conseil nostre seignur le Roi ount fait enpaneller certains gentz de eux mesmes autres qe le viscount de ly mesme voudroit avoir retourne et le dit panell ount baille a viscount pur retourner a grant damage de la partie per qe pleise a nostre seignur le Roi grant qe deformes nul panell soit baille a viscount pur retourner per ascun ministre nostre dit seignur le Roi eins qe les viscountes puissent faire les retournes deux mesmes tiels pur queles ils voudront respondre a Roi et a la partie et si einz ces hures nul panell eit en tiel manere este retourne quel soit de tout

tout ouste et tenuz pur nul a quel hore que la partie a qi il touche le voudra suire ou chalenger sur le passer de dit enqueste. R. *Le Roi voet que tiels executions soient faites en manere come la ley demande.*

**I**TEM purce que laborers et servantz sey fuent dun countee en autre dount les uns vont as grantz villes et devignent artificers les uns en estrange pays pur laborer per cause des excessives lowers nient demurantz en certain en nul lieu per qi execution del estatut ne puist estre fait vers eux et les uns devignent larons et pur ce que punissement suffisaunt nest ordeine sur tiels que les preignent et recettent dount soit ordeine remodie. R. *Soyent les estatuz ent ordeinez gardez & duement executz.*

**I**TEM prie la commune que la cirographer ne sez clerks ne preignent desormes par la note et pur lengrosser dun fyn fors foulment iiij s. come per lestatut fuist et qils facent engrosser les fyns a pluis toust come la ley le suffre sanz delay faire as parties pur pluis avoir pur lour travaill ou per colour de lour office sur peine de forfeiture de lour office et de paiier a la partie greve fez damages a double Et que les justices de bank facent execution de ceste ordeinance per pleint a suite de partie et que les attornes faitz ou assignez a prendre la partie de cirographs eient power per force de mesme lordeinance cestassavoir chescun pur son mester a prendre tiels pleintes sans autre garrant de attornie. R. *Il plest au Roi.*

**I**TEM pleise a nostre dit seigniur le Roi que touz les viscountes et eschetours soient remuez chescun an come il estoit naguairs ordeine per lestatut Et que les viscontes et escheatours soient faitz des meultz vaues de countee que purront respondre a Roi et a partie. R. *Le Roi le voet.*

**I**TEM monstre sa commune qils sont grandement empoverez per le savagnie que destroient leurs bles et pastures issint que plusieurs lessent leurs terres giser freschez de plusieurs villes desenhabitez pres les forestes pur quel desenhablement les communes portent grevouses charges en diverses subsides et autres eides grantez a Roi per la commune Et auxint plusieurs sont enditez per savagnie pris hors del bounde del foreste et per tiels enditementz pris et emprisonnez et pur leurs deliverances paient fyns et raunsons a Roi fees a foresters et as autres ministres al anientifement del dist commune et nul profit pur le Roi sur quoi supplie la dite commune que nul fee nautre chose pur tieux enditementz desormes soit pris et que gentz de pays purront chafer le purale sanz reez ou stableye faire sanz estre attache endite ou empesche par forester ou autre ministre. R. *Estoise la Chartre de la Foreste en sa force & vertue.*

**I**TEM prie sa commune qecome avant ces hures fuist ordeine que le archevesque de Caunterbirs & autres evesques faissent amendement

amendement de ce que leurs commissaires & officials des archideakenes & autres de leurs ministres pernent excesses pur proeve de testament & ent acquittance faire & fils ne faissent que le Roi face enquere per ses justices de tiels excesses & fils le troevent dajugger pur extortion & pur ce que tiels justices sont reurement assiz par commission de enquere de tiels excesses & extortions homme ne puiſt mye estre aide de tiels injuriez faitz & per cel cause les avantditz commissaires & officials & leurs ministres ount pris pluis qils ne soleient faire pur defaute de punissement que pleise de mettre en certain combien ils prendront et fils pernent oultre que chescun que soi sente greve qil poet pursure en chescun court ou il pleist per bref original ou per bille devant justices de record & que cely que seit trouve coupable de tiel extortionouse prise qil paiera disoith atant dount le Roi eit le moite & la partie que fuisit lautre moite. *R. Le Roi ad comande as prelatz qils facent due & covenable amendement & fils ne facent le Roi ordeinera de sa seigneurie covenable remedis.*

**I**TEM prient les communes del roialme Dengleterre que come lercevesques evesques archideakenes & leurs officials commissaires & autres officers preignent des executours les sealx ove les cheynes de les testatours ou fyns & redemptions pur les ditz sealx ou autrement ils ne voillent deliverer administration des biens des ditz testatours a les executors per qi prient les ditz communes a nostre dit seignur le Roi que si les ditz ministres de seint eglise de ceo soient atteintz a suite de Roi ou de partie per brief ou per bille qils paient disoith atant come ils resceivont & eit cely que sue pur le Roi ou pur lui mesmes lune moite & le Roi lautre moite auxibien de temps passe come de temps avenir. *R. Eient les prelatz & autres leur ministres les sealx & cheines de ces qi les voillent doner de leur bon gree issint que nul soit constreint a ce faire contre sa volunte.*

**I**TEM prie la commune que desicome en la Grande Chartre soit contenuz quod nulli negabimus nulli vendemus aut differemus rectum aut justitiam al entente des ascunes fyns que sont pris en la chancellerie en plusours briefs a contrarie del dit estatut en grant empoverissement de poeple de qui ils prient remedie & que le dit estatut soit desclarree. *R. Le Roi usera sicome il & ses auncestres ont fait avant ces Heures & chargera son chancelier que les fines soient resonables selonc lestat des persones.*

Cited in pref.  
to 3Rep.f.4.2.

**I**TEM prie la commune que come recordes & queconque chose en la court le Roi de reson devoient demurrer illoques pur perpetual evidence eide de touz parties a ycely & de touz ceux a queux en nul manere ils atteignent quant mestier leur fuisit & ja de novel refusent en la court nostre dit seignur de serche ou exemplification faire des nulles riens que purra chier en evidence encontre le Roi ou defavantage de ly que pleise ordeiner per estatut que serche & exemplification soient faitz as touz gentz de queconque recorde que les touche en ascun manere auxibien de

de ce qe chiet encontre le Roi come autres gentz. R. *Le Roi le voet.*

**I**TEM prie la commune qe come de chescun hundred des countees sur la mer sont trovez sur la garde de mier pur enemys alienz certains gentz qest appelle petiwacche a grant empoverissement des countees susditz & les queux gentz ne fount illeques autre bien si noun de garnir le pays de la venue des enemys le quel puist auxibien estre fait per meindre nombre des gentz qe pleise abregger & descharger chescun hundred de la moite des gentz susditz. R. *Les gardeins sur les costers de la meer per avis des seignurs & autres du paisi facent mettre tiel nombre come leur semblera qe doit suffire de reson.*

**I**TEM prient totes les bones gentz des countees Desez & Herford a cest present parlement qe come les viscountes des ditz countees soient chargez de lever per an cclvij. lb. des fermes profitz & serjaunties des ditz countees en queles sommes avantditz chescun viscount perde per an c. li. & plus queux ne purreient en nul manere estre levez per cause qe nostre dit seignur le Roi nadgairs passe ad done certainz hundredes baillies & fees a diverses gentz & plusours rentes services & commodites as ditz viscountes & a son office appartenantz sont destructz per certain de ewe de mer per qe chescun an un homme de bien des ditz countees est destructz ameyns pur touz jours dount ils prient remedye. R. *Le Roi leur ad fait grace.*

*Les positions des citezeins & burgeis.*

**A** Nostre seignur le Roi & son noble conseil monstrent ses citezeins de sa citee de Londres qe come per estatut nadgaires fait fuist ordeine qe nul homme de sa ligeance passeroit ove laynes hors du roialme sur peyne de forfaiture de vie & membre terres tenementz biens & chateux a grant profit des aliens & a descres du pris de laynes & a damage de tout la roialme & puis per une autre estatut fuist repellee la forfaiture de vie & membre sibien de temps passee come de temps avenir la forfaiture de terres & tenementz biens & chateux esteante en sa force per quele cause tout la commune des marchantz Engleys pur la greindre partie eschuerount & lesseront lachat & marchandise de laynes a grant amenuement du pris de laynes & damage de tout la commune. Et ou tard pur greindre profit du Roi & de tout la commune de son roialme per avys & accord de son conceil estoit assentu & ordinee qe toutez gentz deveroient & purroient passer laynes sibien denzeins come foreins sur quele achat & passage des laynes qirs & peaux lanuz les ditz marchantz Engleys sont & se doutent estre empechez & damages sibien de temps passee come en temps avenir pur cause de la forfaiture de leur terres tenementz biens & chateux pur quoy plese en ceste present parlement faire pardon as ditz marchantz & a chescun de eux de tout forfaiture des terres tenementz biens & chateux compris en la dite ordenance sibien du



temps passe come en temps avenir & qe briefs & maundementz soient sur ce faitz en lefcheke & totes autres places le Roi & aillours ou bsoinera de surceser de tout de faire enquerres pro-  
 cesse ou executiõn contre eux ou aucune autre persone pur cele  
 cause & qe la dite ordenance de forfaiture de terres & tene-  
 mentz bienz & chateux soit de tout repelle sibien de temps  
 passe come de temps avenir. R. *Est acorde & assentu qe la for-  
 faiture de terres & tenementz cesse de tout & si nul vorra faire fyn  
 pur tiel trespas trete ove le conseil le Roy & reson lui serra fait.*

**I**TEM ils monstrent qe les gentz qi ont passez lour laynez  
 qirs peaux lanuz per patente nostre seignur le Roi desouz  
 son grant seal sibien a Middleburgh come aillours paient la cu-  
 stume & subside quele passage est encontre lordinance en la dar-  
 rein parlement qe lour plese garantir la dite passage saunz da-  
 mage ou perde as ditz marchantz ou nul autre solonc la tenure  
 des ditz patentes nient contresteante le dit estatut & qe lour  
 plese avoir regard qe lestaple des laynes ad esteẽ ordeinez destre  
 en diverses lieux & sodeinement changez a damage du Roi & fa  
 terre & sur ce ordeiner qe le dit estaple puiz estre ordeinee en  
 ceste parlement destre en certain lieu & per bon avisement come  
 mieulz serra au Roi & fa terre. R. *Le Roi ne voet qils soient gre-  
 vez nenpeschez contre la fourme de leur patentes.*

Statutes made at *Westminster*, Anno 47 EDW. III.  
 and *Anno Dom.* 1373.

CAP. I.

*The length and breadth of cloth of ray, and cloth of colour.*

Ex edit. Rast.  
 Ray cloths.  
 Cloth of co-  
 lour.

**A**T the grievous complaint of the commonalty, &c. First  
 it is accorded, That the cloths of ray to be made in Eng-  
 land, shall have the length of xxvii. ells measured by the list,  
 and the breadth of v. quarters, and the cloth of colour, of the  
 length of xxvi. ells measured by the back, and the breadth of  
 vi. quarters at the least; and that the half cloth, be it of colour  
 or of ray, shall hold the length and breadth aforesaid after the  
 rate. And if any cloth be put to sale after the Gule of August,  
 that is not of the said assise, it shall be forfeit to the King, in  
 whose hands soever it be found: *saving the clothes, which people  
 make for their own use, or for their men, or to sell to less people,  
 which shall not be forfeit, although they be not of such measure.*

Rep. by 5 & 6  
 Ed 6. c. 6.  
 4 Eliz. c. 10.  
 4 Jac. 1. c. 2.

CAP. II.

*The value of a Scottish groat shall be three pence.*

Scottish groat.

**I**TEM, &c. it is accorded, That the *Scottish* groat shall be  
 current of the value of iii. d. and of less money, according  
 to the quantity. And if percase this *Scottish* money be impair-  
 ed, the money so impaired shall be set at a less price, after the  
 quantity of the impairing.

*De pardonationibus & gratiis factis per Regem communitati regni sui Anglie anno quinquagesimo regni EDW. III.*

tatutes made at *Westminster Anno 50 EDW. III. and A. D. 1376.*

**D**EL assent des prelatz & ducs countes barons & autres assemblez au parlement nuuz a Westm' a la quinzaine eint Hiller lan de regne nostre seigneur le Roi d'Engleterre cynquantisme & de France rent septisme meisme nostre signur le Roi desirant molt p' la paix de sa terre soit enierement garde & ses foialx obgiz en quiete & tranquillite maintenuz si ad par tant ait & establi certaines choses ordinances & auxint otroiez certaines graces & pardones a la commune d'Engleterre en la fourme qe sensuyt es queles ordinances pardones & graces il voet qal honneur de Dieu & seinte esglise & quiete le meisme son poeple soient emement tenuz & gardez en touz pointz.

**B**Y the assent of the prelates, dukes, earls, barons, and other assembled at the parliament holden at Westminster, at the fiftenth of St. Hillary, the year of the reign of our lord the King that now is, of England the fiftieth, and of France the seven and thirtieth; the same our lord the King much desiring that the peace of his land be well kept, and his faithful subjects in quietness and tranquillity maintained, hath therefore made and established certain ordinances, and also granted certain graces and pardons to his commons of England, in the form as hereafter followeth: (2) which ordinances pardons and graces he will, for the honour of God and of holy church, and quietness of the same his people, they be firmly kept and holden in all points.

### CAP. I.

*A confirmation of the liberties of the church.*

**P**rimement est ordeigne & establi qe seinte esglise eit les libertees & franchises en quiete sanz empeschement ou destourbanse ascune.

**F**IRST it is ordained and established, that holy church have all her liberties and franchises in quietness, without impeachment or other disturbance.

### CAP. II.

*A confirmation of the Great Charter and the Charter of the Forest.*

**I**TEM qe la Grant Chartre & la Chartre de la Foreste soient fermement tenuz & gardez en touz pointz.

**I**TEM, That the Great Charter, and the Charter of the Forest, be firmly holden and kept in all points.

## C A P. III.

*The King's pardon to the people in the year of his jubilee.*

**I**TEM, our sovereign lord the King, considering the great charges and losses which his said people have had and suffered in times past, as well by the wars, as otherwise by the pestilence of the people, murrain of beasts, and the fruits of the land, commonly failed by evil years in times past, whereof our sovereign lord the King hath great compassion, and for so much willing in this parliament now this present year, to do them greater grace than ever he did before: for as much as this year is rightfully the year of his jubilee, or the year of grace of his reign aforesaid accomplished, whereby his said commons may the better recomfort themselves, and thereby have the greater courage to do well hereafter; and also our said sovereign lord the King having in memory, how that in the year of his reign of England, the xxxvi. which was the 1. year of his birth, he made a grace and pardon to his said commons of England, pardoning them of all escapes of felons and chattels of felons and fugitives, trespasses, negligences, misprisons, ignorances, and many other articles of the eyre, and other things fallen and chanced within the same realm of England, whose punishment lieth in fine or in ransom, or in other pecuniar pains, or imprisonment, or in americiament of the commons of towns or of singular persons, or in charge of their freehold, that never trespassed, as heirs, or land tenants, of eschetors, sheriffs, or coroners at the King's suit, willing and granting another time; that the same his commons should be thereof utterly discharged till the xiii. day of October, the said xxxvi. year, at which day the same pardon was made, as more plainly is contained in the same: will and granteth to the honour of God, which so long hath suffered him to reign over the same his people in prosperity; That the same his commons of England, and every singular person of the same, of what estate or condition that they be, as well small as great, shall have now and enjoy all such graces and pardons of all things comprised within the said pardon, fallen or chanced from the said xiii. day of October, till the beginning of this present 1. year. And moreover, our said sovereign lord the King, hath pardoned and released to his said commons, all manner of gifts, alienations, and purchases made by them or any of them, of lands and tenements holden of him in chief, without the King's licence, and all manner of entries, if they have made any in their heritage after the death of their ancestors, without suing them out of the King's hands by due process, till the beginning of the same fiftieth year, except those tenements which be aliened into *Mortmain*, and those tenements also which now be seised into the King's hands, because of alienations and entries, and hath wholly pardoned and released all fines, americiaments, issues, forfeits, reliefs, and escuages made, failed or chanced within the same realm of England. And also all manner of debts and accompts till the fortieth year of his reign. And also all manner of actions and demands, which he hath or may have by him sole, or else jointly

Pardon.

jointly with other persons, against any of his said commons, as well for the cause of the same debts and accompts, as otherwise, because of passages of wools, leather, and woollfells, or other merchandises to the parts beyond the sea, against the defences and ordinances thereof made, as well privily and in the name of the merchants, or by colour of letters patents granted at *Drodagh*, or elsewhere beyond the sea, as by any other way for these causes, and as well of the time of *Walter of Charlton*, and his fellows late farmers of the subsidy and customs, as in other times till the fortieth year of his said reign of *England*, except all the debts that be judged by seisin of lands or tenements, or to be determined in other manner, and except the debts that be now at this time due unto him by any that have been sheriffs, eschetors, collectors of customs and subsidies, *dismes* and *quinzimes*, fermiours of manors, victuallers, and other that have been in great offices with our sovereign lord the King in times past, which be yet in plain life. And also our sovereign lord the King hath general pardoned them the suit of his peace, for all manner of felonies done or committed before the beginning of the said fiftieth year, with the outlawries if any be in them by such encheffons pronounced. *Except always treasons, murders, common thefts, and also rapes of women. But always it is the King's mind that Sir William Wickham, bishop of Winchester, shall nothing enjoy of the said graces, grants, and pardons, nor in no wise be comprised within the same: nor that none shall enjoy any thing of the said graces, or pardons of felonies, unless they pursue their charters in especial, betwixt this and the nativity of St. John Baptist next coming.*

## CAP. IV.

*No prohibition shall be allowed after consultation duly granted.*

**I**TEM est ordine & establi de lassent avantdit qe par la ou consultation est une foitz duement grauntez sur prohibition faite a juge de seinte esglise qe mesme le juge puisse procedre en la cause par vertue de mesme la consultation non obstante ascun autre prohibition sur ceo a luy baille purveu toutefoitz qe la matire en la libel du dite cause ne soit engrossée enlargée ou par autre manere chaungee.

**I**TEM, it is ordained and established of the said assent, That whereas a consultation is once duly granted upon a prohibition made to the judge of the holy church, that the same judge may proceed in the cause by virtue of the same consultation, notwithstanding any other prohibition thereupon to him delivered: provided always, that the matter in the libel of the said cause be not engrossed, enlarged, or otherwise changed.

Cro.Car. 208.  
1 Roll, 378.  
2 Roll, 207,  
500.  
No prohibition shall be allowed after a consultation duly granted.  
3 Bull. r. 182.  
Carthew, 463.  
Larch. 6.  
Regist. 45.

## CAP. V.

*None shall arrest priests or clerks doing divine service.*

1R. 2. c. 15.  
None shall arrest parsons or clerks doing divine service.

**I**TEM, because that complaint is made to our lord the King by the clergy of his said realm of England, that as well divers priests bearing the sweet body of our Lord Jesus Christ to sick people, and their clerks with them, as otherwise divers other persons of holy church, whiles they attend to divine services in churches, churchyards, and other places dedicate to God, be sundry times taken and arrested by authority royal, and commandment of other temporal lords, in offence of God, and of the liberties of holy church, and also in disturbance of divine services aforesaid; (2) the same our lord the King, who would be sore displeas'd if any did in such manner, will and granteth, and defendeth upon his grievous forfeiture, That none do the same from henceforth, so that collusion or feigned cause be not found in any of the said persons of holy church in this behalf.

**I**TEM pur ceo qe pleinte est faite a nostre seigneur le Roi par le clergie de son dit roialme d'Engleterre qe sibien diverses prestres portants le corps nostre Seigneur Jezu Christ as malades & leur clerks ovesqe eux come autrement plusours autres personnes de seinte esglise tant come ils entendent as divines services es esglises cimitoires & autres lieux dediez a Dieu sont plusours foitz prjs & arrestuz par auctorite roiale & commandement des autres seignours temporeles en offence de Dieu & de liberte de sa seinte esglise & auxint destourbanche des divines services avantditz mesme nostre seigneur le Roi a qi meult despleroit si nully le fist en tiel manere voet & grante & auxint defende sur sa grevose forfaiture qe nully le face desoremes isint qe collusion ou cause feyne ne soit trove en ascun des ditz parsones de seinte esglise en celle partie.

## CAP. VI.

*Fraudulent assurances of lands or goods, to deceive creditors, shall be void.*

Raft. 197.  
Dyer, 295.  
Fraudulent assurances of lands or goods to deceive creditors shall be void.

**I**TEM, because that divers people inherit of divers tenements, borrowing divers goods in mouety or in merchandise of divers people of this realm, do give their tenements and chattels to their friends, by collusion thereof to have the profits at their will, and after do flee to the franchise of Westminster, of St. Martin le Grand of London, or other such privileged places, and there do live a great time with an high countenance

**I**TEM pur ceo qe diverses gentz inheritez dez diverses tenementz creanceantz diverses biens en monoie ou en merchandise des plusours gentz de roialme donnont leur tenementz & chateaux a leur amys par collusion davoit ent les profitz a leur volente & puis sensuent a la franchise de Westm' ou seint Martyn le Grant en Londres ou autres tielx places privilegeez & illo-

eqes vivent long temps a grant countenance dautry biens & des profitz des ditz terres & chateux tanqe les ditz creditours ferront molt leez de prendre une petite parcelle de leur dettes & releffer le remnant ordeigne est & assentuz qe si purra estre trovez qe tielx douns soient islint faitz par collusion qe les ditz creditours eient execution des ditz tenementz & chateux auxi avant come nul tiel doun nent eusse este faite.

nance of another man's goods and profits of the said tenements and chattels, till the said creditors shall be bound to take a small parcel of their debts, and release the remnant; (2) it is ordained and assented, that if it be found that such gifts be so made by collusion, that the said creditors shall have execution of the said tenements and chattels, as if no such gift had been made.

2R.s.c.3.  
3H.7.c.4.  
13El.c.5.

## CAP. VII.

*Woolen cloths shall not be transported before they be fulled.*

**I**TEM ordeigne est & defenduz par nostre seignur le Roi qe nulles draps de leyns soient amesnez nulle part hors del roialme dEngleterre devant qils soient fullez ne qe nulle subside ent soit demande ou paies devant ceo qils soient fullez.

**I**TEM, it is ordained and determined by our lord the King, that no woolen cloths shall be carried into any part out of our realm of *England* before they be fulled; nor that any subsidy be thereof demanded nor paid, before that they be fulled.

Woolen cloth shall not be transported before it is fulled.

7Ed.4.c.3.  
3H.7.c.11.

## CAP. VIII.

*Certain cloths whereof no subsidy or aulnage shall be paid.*

**I**TEM, it is ordained and established, That no subsidy nor aulnage shall be paid, levied, nor demanded of clothes called frifeware, which be made in *Ireland*, or otherwise in *England* of *Irish* wool, brought within the realm of *England*, because that those clothes do not contain the length and breadth ordained by the statute, and for so much they ought not to be comprised in the statutes late made of ray clothes and coloured clothes.

Cloth called frifeware.  
2Ed.3.c.14.  
25Ed.3.stat.4.  
c.1.

47Ed.3.c.1.  
10 Annæ,c.16.

*Thus end the statutes made in the time of the noble King EDWARD the Third.*

## Anno primo RICHARDI Secundi.

Statutes made at *Westminster* the first year of the reign of King RICHARD II. after the conquest of *England*, in the year of our Lord God 1377.

**R**ICHARD by the grace of God King of England and of France, and lord of Ireland, to the sberiff of Northampton, greeting. Know thou, that to the honour of God and reverence of holy church, for to nourish peace, unity, and concord in all the parts within our realm of England (which we do much desire) by the whole assent of the prelates, dukes, earls, and barons of this our realm, at the instance and especial request of the commons of our realm assembled at our parliament holden at Westminster the fiftenth day of St. Hillary, in the first year of our reign, we have ordained and stablished certain statutes in amendment and relief of this our said realm, in manner and form following.

**R**ICHARD par la grace de Dieu Roi d'Engleterre & de Fraunce & seignour d'Ireland a nostre viscount de Midd' saluz. Sachez qal honour de Dieu & reverence de seinte eglise pur nurrir paix unite & concorde touts partz deinz nostre roialme d'Engleterre le quele nous desirons moult entierment del assent des prelates ducs contes & barons de mesme nostre roialme al instance & especial request des communes de nostre roialme avantdit assemblez a nostre parlement tenuz a Westm' a la quinzsein de Seint Michel lan de nostre regne primer avons fait ordeigner & establer certains estatutz en amendement & relievement de mesme nostre roialme en la forme que sensuyt.

## CAP. I.

*A confirmation of the liberties of the church, and of all statutes not repealed.*

A confirmation of the liberties of the church.

The great charter read in parliament.

**F**IRST it is agreed and established, That holy church shall have and enjoy all her rights, liberties, and franchises wholly and without blemish; (2) and that the Great Charter, which at the request of the said commons was read in the said parliament, and also the Charter of the Forest, and all other good statutes and provisions made in the time of the progenitors of our lord the

**P**rimement est assentuz & establiz qe seint eglise est & enjoise toutes ses droitures libertes & franchises entierement & sanz emblemesment & qe la Grande Chartre qel a la request de la dite commune estoit lu en dit parlement & auxint la Chartre de la Forest & toutes les autres bones ordonances & estatutz faitz en temps des progenitours nostre seignur le Roi qore est & nient re-

repellex soient tenuz & ferme-  
ment gardez en touz poyntz.

the King that now is, and not  
repealed, shall be observed and  
firmly kept in all points.

### CAP. II.

*The peace shall be kept, and justice shall be done to all persons.*

**I**TEM nostre seignour le Roi  
desirant souverainement la  
tranquillite & quiete de son pœ-  
ple voet & comande estroite-  
ment qe la paix deinz son roi-  
alme d'Engleterre soit ferme-  
ment tenuz & gardez issint qe  
touz sez loialx subgitz purront  
desore sauvement & pesible-  
ment aler venir & demorer so-  
lonc les loys & usages du roy-  
alme & qe bone justice & owel  
droit soit fait a chescun.

**I**TEM, our said lord the  
King greatly desiring the  
tranquility and quietness of his  
people, willeth and straitly  
commandeth, That the peace  
within his realm of *England*  
be surely observed and kept,  
so that all his lawful subjects  
may from henceforth safely and  
peaceably go, come, and dwell  
according to the law and usage  
of the realm; (2) and that  
justice and right be indifferent-  
ly ministered to every person.

Peace shall be  
maintained  
and justice  
shall be done.

### CAP. III.

*Prelates shall have their action of trespass against purveyors offending.*

**I**TEM, That the statutes late made in the time of the noble  
King *Edward*, grandfather to our lord the King that now  
is, for purveyors and buyers shall be firmly observed and kept  
in all points, adding thereunto because that prelates and clerks  
may not thereof commence their suits against any by way of  
crime (as the said statutes required) all prelates and clerks shall  
from henceforth have their actions against all such purveyors and  
buyers, by actions of trespass and recover their treble damage.

Prelates shall  
have their ac-  
tions of tres-  
pass against  
purveyors,  
offending, and  
recover treble  
damages.

3Ed. 1. c. 1.  
14Ed. 3. stat. 1.  
14 Ed. 3. stat. 3.  
c. 1.  
18 Ed. 3. stat. 3.  
c. 4.  
Regist. 281.

### CAP. IV.

*The several penalties of several persons that do maintain quarrels.*

**I**TEM ordeine est & establi  
& le Roi nostre seignour  
defend estroitement qe nul  
conselier officer ou servant  
nautre ovesqe lui nascun autre  
persone du roialme d'Engleterre  
de quel estate ou condition  
qils soient nenpriegnent desore  
ou sussteignent ascun querell par  
mayntenance en pais ou ail-  
lours sur grevouise peyne cest  
assavoir les ditz conseillers &  
grantz officers du Roi sur pey-  
ne qe serra ordeigne par le  
Roi

**I**TEM, it is ordained and  
established, and the King  
our lord straitly commandeth,  
That none of his counsellors,  
officers, or servants, nor any  
other person within the realm  
of *England*, of whatsoever e-  
state or condition they be, shall  
from henceforth take nor sus-  
tain any quarrel by maintain-  
ance in the country, nor else-  
where, upon a grievous pain;  
(2) that is to say, the said  
counsellors and the King's  
great

The several  
penalties of  
several persons  
which do  
maintain  
quarrels.  
Rast. 119, 427,  
&c.  
Cro. El. 594.



great officers upon a pain which shall be ordained by the King himself, by the advice of the lords of his realm; (3) and other less officers and servants of the King, as well in the exchequer and all his other courts and places, as of his own meiny, upon pain to lose their offices and services, and to be imprisoned, (4) and then to be ransomed at the King's will, every of them according to their degree, estate, and desert; (5) and all other persons through the realm upon pain of imprisonment, and to be ransomed as the other aforesaid.

3 Ed. 1. c. 28.  
Regist. 182, & c.  
28 Ed. 1. stat. 3.  
c. 11.

The punishment of a clerk of the exchequer making process for a debt that is paid.

**I**TEM it is ordained, That all statutes and ordinances made before this time of officers of the exchequer, be holden and firmly kept in all points. (2) And moreover it is ordained and established, That at what time any debts be once paid, and the tallies thereof made, rejoined and allowed in the said exchequer, that this debt shall never come in demand. (3) And if it so happen, that after such allowance made there, any clerk of the exchequer make any writ or process to levy the same debt of new, and that duly proved, the same clerk shall lose his office, and have imprisonment till he hath made gree to the party by so much as he is endamaged, if any will sue, by the discretion of the treasurer and the barons of the exchequer.

51 H. 3. stat. 5.  
10 Ed. 1. stat. of  
Rutland.  
37 Ed. 3. c. 4.

Roi mesmes del avys des seignours de roialme & les autres meyndres officers & servantz le Roi sibi en leschequer & en toutes ses autres courtes et places come de sa propre meignee sur peine de perdre lour offices et services et destre emprisonez et dilloques estre reintz a la volente le Roi chescun de eux solonc ses degre estat et desert et toutz autres personnes parmy le roialme sur la dite peyne denprisonment et destre reintz come les autres desus ditz.

### CAP. V.

*The punishment of a clerk of the exchequer making process for a debt paid.*

**I**TEM ordeigné est que toutz estatutz et ordeignances faitz avant ses hœures des officiers del eschequer soient tenuz et fermement gardez en toutz poyntz. Et outre ce ordeigne est et establiz que a quel heure qascuns dettes soient un foitz paieez et les tallies ent faitz rejointz et allowez en dite eschequer que cel dette ny courge jamais en demande. Et fil aveigne ensi qapres tiel allowance fait illoques aucun clerc du dit eschequer face brief ou proces pur lever mesme le dette de novel et ce dument provez que mesme le clerc perde son office et eit la prison tanque il avera fait gree a la partie par tant en damage si aucuny vorra suy par la discretion des treforer et barons du dit eschequer.

## CAP. VI.

*Commissions shall be awarded to enquire of and punish the misbehaviour of villains and land-tenants to their lords.*

**I**TEM, at the grievous complaint of the lords and commons of the realm, as well men of holy church as other, made in the parliament, of that that in many signories and parts of the realm of England the villains and landtenants in villenage, who owe services and customs to their said lords, have now late withdrawn, and do daily withdraw their services and customs due to their said lords, by comfort and procurement of other their counsellors, maintainers and abettors in the country, which hath taken hire and profit of the said villains and landtenants, by colour of certain exemplifications made out of the book of doomsday of the manors and towns where they have been dwelling, and by virtue of the same exemplifications, and their evil interpretations of all manner servage, due as well of their body as of their said tenuris, and will not suffer any distress or other justice, to be made upon them, but do menace the ministers of their lords of life and member, and (which more is) gather themselves together in great routs, and agree by such confederacy, that every one shall aid other to resist their lords with strong hand: and much other harm they do in sundry manner, to the great damage of their said lords, and evil example to other to begin such rlots: so that if due remedy be not the rather provided upon the same rebels, greater mischief (which God prohibit) may thereof spring through the realm: It is ordained and stablished, that the lords which feel themselves grieved, shall have special commissions under the great seal to the justices of peace, or to other sufficient persons, to enquire of all such rebels, and of their offences, and their counsellors, procurers, maintainers and abettors, and to imprison all those that thereof shall be endited before them, as well for the time past, as for the time to come, without delivering them out of prison by mainprife, bail, or otherwise, without assent of their lords, till they thereof be attainted or acquit. And that the same justices have power to hear and determine as well at the King's suit as at the suit of the party. Provided always, that if the said villains or landtenants, rebels, be thereof attainted at the suit of the said lords, they shall in no wise be delivered, till they have made a fine to the King, and also they to have the assent of their lords aforesaid. And as to the said counsellors, procurers, maintainers and abettors, such process in like manner shall be made of them, which thereof shall be attainted, so that they be in no wise delivered from prison, till they have made fine to the King, and gree to the lords so grieved, according as their estate and the quantity of their offence doth require, if the same lords will sue against them by writ or by bill, saving always, as to the said fines, the franchises and liberties of lords, which have fines and amerciaments of their tenants. And as the said exemplifications made and purchased as afore is said, which

Ex edit. Raft.  
Villains.  
Landtenants.

Book of  
doomsday.

Justices of  
peace.

Exemplifica-  
tions.

were caused to come in the parliament, and to be declared in the said parliament; that the same may not nor ought to avail or hold place to the said villains or landtenants, as to the franchise of their bodies, nor to change the condition of their tenure and customs of old time due, nor to do prejudice to the said lords, to have their services and customs as they were wont of old time. And it is ordained, that upon this declaration, the said lords shall have letters patents under the great seal, as many and such as they shall need, if they the same require.

22 Car. 2. c. 24.

## CAP. VII.

*There shall be no giving of liveries for maintenance.*

**I**TEM, because that divers people of small revenue of land, rent; or other possessions, do make great retinue of people, as well of esquires as of other, in many parts of the realm, giving to them hats and other liveries, of one suit by year, taking of them the value of the same livery, or percase the double value, by such covenant and assurance, that every of them shall maintain other in all quartels, be they reasonable or unreasonable, to the great mischief and oppression of the people; (2) it is ordained and assented, That the statutes and ordinances made in such case before this time, be kept and duly executed. (3) And moreover the King doth straitly defend, that from henceforth no such livery be given to any man for maintenance of quarrels, nor other confederacies, upon pain of imprisonment and grievous forfeiture to the King: (4) and the justices of assises shall diligently enquire of all them that gather them together in fraternities by such livery to do maintenance; (5) and they which thereof shall be found guilty, shall be duly punished, every man after the quantity of his desert.

**I**TEM pur ce que plusieurs gentz de petit garison de terre rent ou dautres possessions font grantz retenez des gentz s'bien desquiers come dautres en plusieurs parties del roialme donantz a eux chaperons & autre livere duñ suyte par an repreignantz vers eux la value de cel livere ou par cas la double value par tiel covenant & assurance qe chescun de eux mayntiendra autre en toutz querelles soient eles resonables ou non resonables a grant meschief & oppression du poeple ordeigne est & assentuz qe les estatutz & ordenances faites en tiel cas avant ses heures soient gardez & duement executz. Et outre ce le Roi defend estroitment qe deormes nul tiel livere ne soit done a nully pur mayntenance des querels nautre confederacie sur peyne denprisonment & grevous forfeiture au Roi. Et enquerent diligealment les justices des assises dez touz ceux qi se coillent ensemble en fraternitez par tiel livere affaire meyntenance & ceux qi en seront trovez coupablez soient duement punys chescun solonc la quantite de sa desert.

Statutes ordained against maintenance shall be kept.

The punishment of them which give liveries for maintenance.

Justices of assise shall enquire of, and punish this offence.

20 R. 2. c. 1.

## CAP. VIII.

*In what case a protection cum clausula volumus is not allowable.*

**I**TEM est assentuz qe desore nul protection ove clause de volumus soit allowe devant a feun juge pur vitailles pris ou achatez sur le viage ou service dont la protection fait mention naxint en ples de trespas ou dautre contracte fait ou perpetrez puis la date de mesme la protection:

**I**TEM, it is assented, That from henceforth no protection with the clause of *volumus* be allowed before any judge for victuals taken or bought upon the voyage or service whereof the protection maketh mention, nor also in pleas of trespas, or of other contract, made or perpetrated after the date of the same protection:

In what case a protection cum clausula volumus is not allowable.  
Reg. 22.  
33 Ed. 1 stat. 2.  
Stat. de protectionibus  
13 R. 2. stat. 1.  
c. 16.

## CAP. IX.

*A seoffment of lands or gift of goods for maintenance shall be void. An assise is maintainable against the pernor of the profits of lands.*

**I**TEM pur ceo qe pleint est fait a Roi qe plusours gentz de dite roialme sibien greyndres come meyndres eiantz droit & verrois titles sibien as terres tenementz & rentz come en autres actions personels sont torcenusement delaiez de leur droit & actions parmy ceo qe les occupiours ou defendantz pur estre sustenuz & mayntenuz en leur tort sont communement dounes & seoffementz de leur terres & tenementz qe sont en debate & de leurs autres biens & chateux as seignurs & autres grantz du roialme vers queux les ditz pursuantz pur grant manace qe leur est faite ne poient ne ne osent faire leur pursuytes & auxint dautre part pleinte est fait qe meyntfoitz plusours gentz disseisent autres de leur tenementz & tantost apres la disseisine fait sont diverses alienations & seoffementz ascunfoitz as seignurs & grantz de roialme pur meyn-

**I**TEM, because it is complain-  
**I**ed to the King, That many people of the said realm, as well great as small, having right and true title as well to lands, tenements and rents, as in other personal actions, be wrongfully delayed of their right and actions, by means that the occupiers or defendants to be maintained and sustained in their wrong, do commonly make gifts and seoffments of their lands and tenements which be in debate, and of their other goods and chattels to lords and other great men of the realm, against whom the said pursuants, for great menace that is made to them, cannot nor dare not make their pursuiss: (2) and also on the other part complaint is made to the King, that oftentimes many people do disseise other of their tenements, and anon after the disseisin done, they make divers alienations and seoffments, sometime to lords and great men of the realm to have maintenance, and sometime to many persons of whose

1 Co. 123.

names the disseisees can have no knowledge, to the intent to defer and delay by such frauds the said disseisees, and the other demandants and their heirs, of their recovery, to the great hindrance and oppression of the people: (3) It is ordained

3 Ed. 1. c. 24.  
Co. Lit. 369. a.  
A feoffment of lands or gift of goods for maintenance shall be void.  
Rast. 68.

A disseisee may maintain an assise against the person of the profits.

Altered by  
4 H. 4. c. 7.  
31 H. 6. c. 3.  
3 H. 7. c. 1.  
27 H. 8. c. 10.

and established, That from henceforth no gift or feoffment of lands, tenements, or goods be made by such fraud or maintenance; (4) and if any be in such wise made, they shall be holden for none and of no value; (5) and the said disseisees shall from henceforth have their recovery against the first disseisors, as well of the lands and tenements, as of their double damages, without having regard to such alienations, so that the disseisees commence their suits within the year next after the disseisin done. (6) And it is ordained and stablished, That the same statute shall hold place in every other action in plea of land where such feoffments be made by fraud or collusion, to have their recovery against the first such feoffor. (7) And it is to wit, that this statute ought to be understood where such feoffors thereof take the profits.

tenance avoir & ascunfoitz as plusieurs personnes de qui nouns les disseisez ne poent avoir conissance au fin dalloigner & delaier par tieux fraudes les ditz disseisez & les autres demandantz et lour heirs de lour recovrer a grant anientissement & oppression du poeple ordeigny est & establi qe de formes nulle don ou feoffement des terres tenementz ou biens soit fait par tiel fraude ou mayntenance & si ascuns soient faitz tielment soient tenuz pur nulles & de nulle value & eient desore les disseisez lour recovrer vers les primers disseiseurs sibien des terres & tenementz come de lour doubles damages sanz avoir regard as tielx alienations parissent qe les disseiz comencent lour suytes deinz lan profchein apres la disseisine faite. Et est ordeigne & assentuz qe mesme cest estatut teigne lieu en chescun autre action ou ple de terre ou tielx feffementz sont faitz par fraude ou collusion davoit lour recovrer vers le primer tiel feffour. Et est assavoir qe cest estatut doit estre entenduz la ou tieux feffours ent preignent les profitz.

4 H. 4. c. 7.  
4 H. 7. c. 24.

## CAP. X.

*A confirmation of the pardon granted by King Edw. III. in the 50th year of his reign.*

Ex edit. Rast.  
Pardon.

**I**TEM, our sovereign lord the King, desiring the quietness of his people, will and granteth, of the assent aforesaid, That the general pardons and graces, which the noble King EDWARD, grandfather to our sovereign lord the King that now is, made to his people of England in the L. year of his reign, shall hold place, and be allowed in the exchequer aforesaid, and elsewhere, for all people comprised within the same pardons and graces, as well of ships, victuals, artillery, armour, and vessels, not expressed specially in the same, as of all debts and accountms and other things there comprised in general.

CAP.

CAP. XI.

*None that hath been sheriff shall be so again within three years.*

**I**TEM ordeigne est que nully qad este viscont dune conte par un an entier ne soit deinz les trois anz profcheins ensuantz reclus ou remys en dite office de viscont si y soit autre suffisant en dite contee des possessions & biens pur respondre a Roi & a poeple.

**I**TEM it is ordained, That none that hath been sheriff of any county by an whole year, shall be within three years next ensuing chosen again, or put in the same office of sheriff, if there be other sufficient in the said county of possessions and goods to answer to the King and his people.

None that hath been sheriff shall be again in three years.  
Rast. 242.  
14 Ed. 3. stat. 7.  
C. 7.  
42 Ed. 3. c. 9.  
23 H. 6. c. 8.

CAP. XII.

*Aprisoner by judgement shall not be let at large. Confession of a debt to the King to delay another's execution.*

**I**TEM pur ce que divers gentz a fuyte de partie comandez a la prisone de Flete par judgement renduz en les courtes nostre dit seigneur le Roi font plusours foitz soeffertz aler a large par le gardein de la dite prisone alefoitz par maynpris ou baill & alefoitz sanz ascun maynpris avec une baston de Flete & sen vont en pais entour leur marchandise & autres leur boisoignes & y font longement hors du prison noetz & jourz sanz lassent de ceux a qi fuyte ils y font ajugez & sanz leur gree ent faire par ont homme ne poet jamais venir a son droit recoverer devers tieuz enprisonnez a grant meschief & aientissement de plusours gentz ordeigne est & assentuz que deformes nul gardein de la dit prisone de Flete soeffre ascun prisoner illoeqs esteantz par jugement al fuyte de partie aler hors du prisone par maynpris baill ne par baston sanz gree faire as ditz parties de ceo pur quoi ils y estoient ajugez si ne soit par brief ou autre mandement du Roi sur peyne de perdre son office & la garde de dite prisone.

**I**TEM, whereas divers people, at the suit of the party commanded to the prison of the Fleet, by judgement given in courts of our lord the King, be oftentimes suffered to go at large by the warden of the prison, sometimes by mainprise or by bail, and sometimes without any mainprise with a baston of the Fleet, and to go from thence into the country about their merchandises and other their business, and be there long out of prison nights and days, without their assent at whose suit they be judged, and without their gree thereof made, whereby a man cannot come to his right, and recovery against such prisoners, to the great mischief and undoing of many people: (2) it is ordaine and assented, That from henceforth no warden of the Fleet shall suffer any prisoner there being by judgement at the suit of the party, to go out of prison by mainprise, bail, nor by baston, without making gree to the said parties of that whereof they were judged, unless it be by writ or other commandment of the King, upon pain to lose his office, and the keeping of the said prison. (3) And more-

3 Bulstr. 97.  
Plo. 35.  
Dyer, 66, 162,  
271, 278, 297,  
306, 322.  
3 Co. 52, 71.  
5 Co. 89.  
8 Co 142.

The penalty of the warden of the fleet, if he suffer a prisoner, being there by judgement, to go at large.

3 Ed. 1. stat. 1. c. 11.

1 Saund. 38.

The penalty of him who confesseth a debt due to the King, to delay another's execution.

over, if any such warden from henceforth be attainted by due process, that he hath suffered or let such prisoner to go at large against this ordinance, then the plaintiffs shall have their recovery against the same warden by writ of debt. (4) And also it is ordained, That if any at the suit of the party judged to another prison for debt, trespass, or other quarrel, will confess himself voluntarily, and by a feigned cause, debtor to the King, and by that means to be judged to the said prison of the fleet, there to have greater sweet of prison than elsewhere, and so to delay the party of his recovery; the same recognisance shall be there received, and if he be not debtor to the King of record, his body shall incontinently be remanded to the prison where he was before, there to remain till he hath made gree to the said party, and the same gree made, he shall be immediately sent again to the Fleet, there to abide, till he hath gree to the King of his recognisance aforesaid.

Et enoutre si nul tiel garde<sup>n</sup> soit desore atteint par due process qil avera soeffert ou lesseta tiel prison aler a large encontre cest ordeinance adonques y eient les pleintifs lour recoverer avec meismes les gardeins par brief de dette. Et auxint est ordene que si nully a suyte du prison ajugez a autre prison par dette trespass ou autre querelle se veuille conuistre volontrement & par feynt cause dettour a Roi & par tant estre ajugez a la dite prison de Flete pur greynon suete y avoir de prison que ailleurs & issint delaiier la partie de son recoverer soit cell reconnaissance receu illecoqs & ne soit autre part dettour a Roi de recorde soit son corps tant remandez a la prison ou il estoit devant a y demurer tant avera fait gree a la dite partie cell gree fait soit immediat remandez a Flete pur y demurer tantil avera fait gree a Roi de sa reconnaissance avandite.

7 H. 4. c. 4.

### CAP. XIII.

*Ecclesiastical judges shall not be vexed for suits for tithes in spiritual court.*

9 Inft. 489, 490. Ecclesiastical judges nor other shall be indicted or imprisoned for suits in any spiritual court for tithes, &c.

**I**TEM, the prelates and clergy of this realm do greatly complain them, for that the people for holy church, pursuing in the spiritual court for their tithes, and their other things, which of right ought, and of old times were wont to pertain to the same spiritual court, and that the judges of holy church, having cognisance in such causes, and other persons thereof meddling according to the law, be maliciously and unduly for this cause indicted, imprisoned, and by secular power horribly oppressed, and also enforced with violence by oaths and grievous obligations,

**I**TEM les prelatz & le clergie de dit roialme se plainent grandement de ce que la gentz de seint eglise pursuivant en court christiene pur lour dimes & autres choses que leur droit deyvent & de auncien temps leur leient appartenere a meisme court christiene & les juges de seint eglise conissantz en tiel causes & autres perones soient entremettantz solonc la ley font malicieuusement & nondroitement par celle cause enditez en prisonnez & par secular poair horriblement oppressez & auxint effortez

efforcez ove violence par sermentz & grevous obligations & moutz dautres maners non duement compulsez a desister & cesser outrement es choses desuidites encontre les libertees & franchises de seint eglise par quoy est assentuz qe touz tielx obligations faitz ou affaires par durece & violence ne soient jammes dascun value. Et quant a ceux qi procurent par malice tieux enditementz & destre mesmes des enditours apres ceo qe les enditez ent sont aquitez eient & encourgent tieux procurours & enditours mesme la peyne qest contenue en lestatut de Westm' seconde de ceux qi procurent faux appellez estre faitz. Et eient les justices des assises ou autres justices devant queux tieux enditez serront aquitez pouair denquerre de tieux procurours & enditours & de les punir duement chefcun solonc son desert.

*obligations, and many other means unduly compelled to desist and cease utterly of the things aforesaid, against the liberties and franchises of holy church: (2) wherefore it is assented, That all such obligations made or to be made by duress or violence, shall be of no value. And as to those that by malice do procure such indictments, and to be the same indictors, after the same indictes be so acquit, such procurers shall have and incur the same pain that is contained in the statute of Westminster the second, of those which procure false appeals to be made. And the justices of assises, or other justices, before whom such indictes shall be acquit, shall have power to inquire of such procurers and indictors, and duly to punish them according to their desert,*

The penalty of those which do procure such indictments.

13 Ed. 2.  
Stat. 2. c. 12.

#### CAP. XIV.

*In an action of goods taken away, the defendant maketh title for tithes due to the church.*

**I**TEM est assentuz qe a quel heure qe ascun persone de seint eglise soit treet en plee en court seculer pur ses propres dismes prizez par noun des biens emportez & celui qe ensient est treet en plee face exception ou allegge qe la substance & source de la boisoigne soit soulement sur dismes duez de droit & possession de sa eglise ou a autre son benefice qe en tieu cas general averement ne soit jaimmes pris sainz monstrier matier especial coment ceo fuist lay chatell.

**I**TEM it is accorded, That at what time that any person of the holy church be drawn in plea in the secular court for his own tithes taken, by the name of goods taken away, and he which is so drawn in plea maketh an exception, or alledgeth, that the substance and suit of the business is only upon tithes due of right and of possession to his church, or to another his benefice, that in such case the general averment shall not be taken without shewing specially how the same was his lay-chattel.

In an action of goods carried away the defendant makes his title for tithes due to his church.



## CAP. XV.

*The penalty for arresting of priests during divine service.*

50 Ed. 3. c. 5.  
1 Mar. sess. 2.  
c. 3.  
2 Bull. 72.  
Cro. Jac. 321.  
pl. 4.

The penalty  
for arresting a  
priest doing  
divine service.

Brownl. 301.

**I**TEM, because that prelates do complain themselves, that as well beneficed people of holy church, as other, be arrested and drawn out as well of cathedral churches, as of other churches and their churchyards, and sometime whiles they be intending to divine services, and also in other places, although they be bearing the body of our lord Jesus Christ to sick persons, and so arrested and drawn out, be bound and brought to prison against the liberty of holy church: (2) it is ordained, That if any minister of the King, or other, do arrest any person of holy church by such manner, and thereof be duly convicted, he shall have imprisonment, and then be ransomed at the King's will, and make gree to the parties so arrested; (3) provided always, That the said people of holy church shall not hold them within the churches or sanctuaries by fraud or collusion in any manner. (4) And therefore we command, That thou cause all the said statutes to be cried and published, and firmly kept through thy bailiwick, according to the form and tenour thereof, and that do not omit in any wise. Given under the witness of our great seal the first day of February, in the first year of our reign.

**I**TEM pur ce que les prelatz se font pleindre que sibien gentz de seint eglise beneficiez come autres sont arestuz & horstreez sibien des esglises cathedrales come des autres esglises & lour ciminters & tant come ils sont alefoitz entendantz a divines services & auxint en autres lieux tout soient ils portantz le corps nostre seigneur Jesu Crist as malades & issint arestuz & forstretz sont liez & menez en prisone encontre la fraunchise de seint eglise ordeigne est que si nulle ministre du Roi ou autre face arester ascun persone de seint eglise par tiel manere & ent soit duement conviict eit la prisone & ent soit reint al volunte le Roi & face gree as parties issint arestuz purveue toutfoitz que les dites gentz de seint eglise ne se tiegnent deinz les eglites ou sanctuaries par fraude ou collusion en ascun manere. Et pur ce vous mandons que toutes les dites estatutz facez crier & publier et fermement tener parmy vostre bailly selonc la forme et tenure dicelles et ce ne lessez en ascun manere. Don' par tesmoignance de nostre grande seal a Westm' le primer jour de Feverer lan de nostre regne primer.

Consimiles literæ diriguntur singulis vicecomitibus per Angliam sub eadem data.

Statutes made at Gloucester, Anno 2 RICH. II.  
stat. 1. and Anno Dom. 1378.

**O**UR lord the King, at his parliament holden at Gloucester the Wednesday next after the feast of St. Luke, the second year

**L**E Roi a viscont de Kent fa-  
luz. Savoir vous faceons  
que a nostre parlement tenuz a  
Gloucestre le Meskerdy prof-  
chein

chein apres le fest de seint Luk darrein passe entre autres choses illoeqes assentuz & accordez estoient faitz certains estatutz & ordinances sibien par commune profit come par maintenace de la paix deins nostre dit roialme en la forme qensuyt.

*of his reign, amongst other things there assented and accorded, hath made certain statutes and ordinances, as well for the common profit of the realm, as for the maintenance of the peace of his said realm, in the form following,*

## CAP. I.

*All merchants may buy and sell within the realm without disturbance.*

**P**Rimerement pur ce que avant ces heures en temps le noble Roi E. aiel nostre seignur le Roi qore est en ses parlementz tenuz a Everwyk & Westm' & auxint a nostre seignur le Roi qore est en cest present parliament grante plainte ad este faite de ceo que en plusieurs citees burghs portz de meer & autres lieux deinz le roialme dEngleterre grauntes damages & outrageoues dureces estoient & unqore sont faitz au Roi & a tout son roialme par les citeins burgeys & autres gentz des citees burghs & dautres villes & lieux dessusdites qi navoient soeffert ne unqore soeffrent marchantz estranges nautres qi amesinent carient ou portent par meer & par terre vyns avoir de pois vivres vitailles & autres choses vendables necessairs & profitables sibien pur le Roi les prelatz & seignurs come pur tout la commune de la terre vendre ou bailler les ditz vyns vivres vitailles ne les autres choses vendables as autres que a eux mesmes des citees burghs portz de meer & les autres lieux as queux yceux vines vitailles ou autres choses vendables furent & sont amenez cariez ou portez & par tant si eient este & unqore sont mesmes les choses mises & venduz au Roi as seignurs & a son dit poeple

**F**IRST, because that before <sup>9 Ed. 3. Stat. 1.</sup> this time in time of the noble King EDWARD, grandfather <sup>C. 1.</sup> to our lord the King that now is, <sup>25 Ed. 3. Stat. 4.</sup> in his parliaments holden at York <sup>C. 2.</sup> and Westminster, and also in this present parliament, great complaint hath been made to our said lord, for that in many cities, boroughs, ports of the sea, and other places within the realm of England, great damages and outrageous grievances have been, and yet be done to the King, and to all his realm, by the citizens, burgeses, and other people of cities, boroughs, and other towns and places aforesaid, which have not suffered, nor yet will suffer, merchants strangers, nor other that do bring, carry, or convey by sea or by land wines, Avojr de pois, sustenance, victuals, or other things vendible, profitable, and necessary, as well for the King, the prelates, and lords, as for all the communalty of his land, to sell or deliver the said wines, sustenance, victuals, nor other things vendible, to any other than to them of the same cities, boroughs, ports of the sea, and other places, to which such wines, sustenance, victuals, or other things vendible were and be brought, carried, and conveyed; (2) and by so much those things have been, and yet be sold and set to the King, to his lords, and to all his people, by the hands

The inconveniences ensuing by restraining mer-

chants from  
selling of vic-  
tuals where  
they will.

*bands of the citizens, burges-  
ses, and other people denizens, to  
a great and excessive dearth, over  
that they should have been, if the  
merchants strangers, and other  
which bring such things into the  
realm, might freely have sold them  
to whom they would; (3) nor  
also would not, nor yet will suf-  
fer the merchants strangers that  
do come, or would come within the  
realm, to buy wools and other  
merchandises growing within the  
realm, to go, travel, and merchan-  
dise, or abide freely as they were  
wont to do, to the great damage of  
the King, of the prelates, of the  
lords, and of all the realm, and  
against the statutes and ordinan-  
ces thereof made in times past in  
the said two parliaments: (4) our  
lord the King considering clear-  
ly the coming of merchants  
strangers within the realm to  
be very profitable for many  
causes to all the realm, by the  
assent of the prelates, dukes,  
earls, barons, and of the com-  
mons of the realm, hath ordai-  
ned and established, That all  
merchants aliens, of what  
realms, countries, or seignories  
that they come, which be of  
the amity of the King, and of  
his realm, may from henceforth  
safely and surely come within  
the realm of *England*, and in  
all cities, boroughs, ports of  
the sea, fairs, markets, or other  
places within the realm, with-  
in franchise and without, and  
abide with their goods and all  
merchandises under the safe-  
guard and protection of the  
King as long as shall please  
them, without disturbance or  
denying of any person. (5)  
And that as well those mer-  
chants aliens and denizens, and  
every of them, that will buy  
and*

poeples en & par les mains des  
citeins burgeois & autres gentz  
deinzeins a trop grant & excel-  
sive chierce outre ce qils eussent  
este si les marchantz estranges  
& autres qe fount venir tiels  
choses deins le roialme les pur-  
roient franchement avoir ven-  
duz a qi qils voussissent nauxing  
ont volue soeffrer ne unqore le-  
effrent les marchantz estranges  
queux vieignent & vorroient ve-  
nir deinz le roialme pur acha-  
ter des leyns & dautres mar-  
chandises creffantz deinz me-  
me le roialme aler convertir  
merchander ou demorer fran-  
chement come ils soloient faire  
a grant damage de Roi des pre-  
latz des seignurs & de tout le  
roialme & encontre commune  
profit & encontre les estatutz &  
ordinances en faitz avant ces  
heures en les deux parlements  
avantdites nostre seignour le  
Roi considerant clerement la  
venue des marchantz estranges  
deinz le roialme estre bien &  
profitable par moelt des causes  
a tout le roialme avantdit del  
assent des prelatz ducs countes  
barons & de la commune de  
son roialme ad ordeignez &  
establiz qe tous marchantz ali-  
ens de queleconques roialmes  
pays ou seignouries qils veig-  
nent qi soient del amistee nostre  
seignour le Roi & de son roial-  
me puissent desore sauvement  
& seurement venir deinz le  
roialme d'Engleterre & en-  
conques citees burghs portz de  
meer feires merches ou autres  
lieux deinz mesme le roialme  
deinz franchises & dehors de-  
morer oveisque lour biens & mer-  
chandises qeconques souz le sau-  
se garde & protection nostre  
seignour le Roi tant si longe-  
ment come lour plerra sanz des-  
turbance ou contredit de per-  
sone

Merchants  
strangers may  
buy or sell all  
Things vendi-  
ble within the  
realm.

Altered by 16  
R. 2. c. 1.

sone qeconqe. Et qe sibien  
 yceux marchantz aliens come  
 denzeins qeconqes & chescun  
 de eux qi achatre ou vendre  
 voillent bledz chare pesson &  
 totes maneres dautres vivres &  
 vitailles & auxint totes mane-  
 res des spiceries de fruit de pel-  
 lure & des menues ou petites  
 merceries come soy file dore  
 & dargent coverchiefs & autres  
 tiels petites merceries les pu-  
 issent desore franchiseement &  
 sanz contredit ou destourbanqe  
 qeconqe sibien en la citee de  
 Londres come en touz les au-  
 tres citees burghs portz de  
 meer feires merchees & autres  
 lieux deinz le roialme vendre  
 & achatre en groos & par par-  
 cells a qi & de qi qe lour plest  
 forein & deinzin horspris les  
 enemys nostre seignour le Roi  
 & horspris qe toutes maneres  
 de vins sibien douces come au-  
 tres y ferront venduz par les  
 ditz estrangers en groos par les  
 vesselz entiers sicome ils sont  
 amesnez deinz le roialme & ne-  
 mye a retaile par nully es dites  
 citees burghs & autres bones  
 villes enfranchisez sinon soule-  
 ment par les enheritantz & en-  
 franchisez en ycelles. Et quant  
 a tous les autres grosses merce-  
 ries come draps dore dargent de  
 foye de sendale de naporie de  
 linge teel de canevas & dautres  
 tielex grosses merceries & aux-  
 int totes maneres dautres gros-  
 ses merchandises nient expressez  
 pardeffus qeconqes qe celles  
 soient les puissent desore sibien  
 aliens come deinzins tant en  
 la dite citee de Londres come  
 es autres citees burghs portz  
 villes feires marches & aillours  
 parmy le roialme avantdit deinz  
 franchisez & dehors a qeconqe  
 persone forein ou denizin qi  
 achatre les vorra forspris les e-  
 nemys

and sell corn, flesh, fish, and  
 all manner other victuals and  
 sustenance, and also all manner  
 of spiceries, fruit, fur, and all  
 manner of small wares, as silk,  
 gold wire, or silver wire, cover-  
 chiefs, and other such small  
 ware, may from henceforth  
 freely and without denying or  
 any manner of disturbance, as  
 well in the city of *London*, as in  
 all cities, boroughs, ports of  
 the sea, fairs, markets, and o-  
 ther places within the realm,  
 sell and buy in groos and by  
 parcels, to whom and of whom  
 they please, denizens or foreign,  
 (6) except the King's enemies,  
 and except that all manner of  
 wines, as well sweet as other,  
 shall be sold by the said strang-  
 ers in groos, and by whole ves-  
 sels, as they be brought into  
 the realm, and not at retail by  
 any in the said cities, boroughs,  
 and other towns franchised,  
 but only by the inhabitants and  
 freemen in the same. (7) And  
 as to all other great wares, as  
 cloth of gold and silver, silk,  
 sendal, napery, linen cloth, can-  
 vas, and other such great wares,  
 and also all manner of other  
 great merchandises not above  
 expressez, whatsoever they be,  
 from henceforth as well aliens  
 as denizens, as well in the city  
 of *London*, as in other cities,  
 boroughs, ports of the sea,  
 towns, fairs, markets, and else-  
 where through the said realm,  
 within franchise and without,  
 may sell the same in groos to  
 every person foreign or deni-  
 zen that will buy the same  
 freely and without denying (ex-  
 cept to the King's enemies and  
 the realm's) as well by the  
 bale, cloth, or by whole pieces  
 at their pleasure, and not at  
 retail, upon pain of forfeiture,  
 of

Aliens must  
 sell their wine  
 in groos, and  
 not by retail  
 altered by  
 11 R. 2. c. 7.

What com-  
 modities mer-  
 chants aliens  
 or denizens  
 may sell in  
 groos, and  
 which by re-  
 tail, and to  
 whom.

of the same merchandises, but only the citizens and burghes in their own cities and boroughs, and other good towns franchised, to whom (and to none other strange merchant of their franchise) they may, (8) and it shall be lawful to them without impeachment, to unfold, undo, and cut in the same their proper cities, and boroughs, the great merchandises, and other great wares aforesaid, and as well the same, as wines and other merchandises whatsoever, there to sell in gross and by retail at their pleasure, paying all the customs and subsidies due, notwithstanding any statutes, ordinances, charters, judgements, allowances, customs, and usages made or suffered to the contrary; (9) which charters and franchises, if any there be, they shall be utterly repealed and adnulled, as a thing made, used, or granted against the common profit, or oppression of the people: (10) saving always to prelates and lords of the realm wholly their liberties and franchises, that they may make their purveyances and buyings of victuals, and of other their necessities, as they were wont to do in old time, (11) and saving that the ordinances made before this time of the staple of *Caleis* be holden in their force and virtue. (12) And it is not the King's mind, that merchants strangers or denizens, that will buy and sell their wools, woolsels, wares, cloths, iron, and other merchandises, at fairs and markets in the country, should be restrained or disturbed by this statute to sell or buy freely in gross or at retail, as they were wont to do heretofore,

The penalty of them which do disturb merchants to buy and sell wares at their pleasures, and of chief officers not punishing these disturbers.

nemys du Roi & de son roialme franchementz & sanz contredit queconque vendre en groos tantoulement come par bale drap ou par la piece entier a leur pleiser & noun pas a retaille sur peine de forfaiture de ycelles merchandises forsque seulement les citeins & burgeis en leur propres citees & burghs & autres bones villes enfranchises queux & a nul autre estrange merchant de leur franchise en life & purront ils sanz empeschement desceser tailler & trencher en yeux leurs propres citees & burghs les grosses merceries & autres grosses merchandises avantdites & sibiens ycelles come vins & autres merchandises quelconques illoques vendre en groos & a retaille a leur pleisauncs paiantz toutes voies les custumes & subsidies duez nient contresteatz estatutz ordeignaunces chartres judgementz allowances custumes & usages faitz ou suffertz au contraire les queux chartres & franchises si nulles y soient sont oultrement repellez et adnullez come chose faite use ou grante encontre commune profit en oppression de poeple. Salvant toutdys as prelatz & seignours du roialme entierment leur libertees & franchises qils purront faire leur purvoiances & achatz des vitails & dautres leur necessaires come ils soleient faire daunciens temps & savant que les ordinances faitz avant ces heures de lestaple de *Caleys* soient tenuz en leur force & vertu. Et nest my lentention du Roi nostre seignour que les merchantz estrangez ou deinzains que vorront acheter ou vendre leyns peaux lanutz mercerie draps feer & autres merchandises es feires

feirees & marchees en paais y soient par ceste estatut restreintz ou destourbez de vendre & acheter franchement en gros ou a retails come ils soleient faire d'anciennete. Et si ensy aviegnent qe desore desturbaunce soit fait a nul merchant alien ou denzein ou autre sur la vente des tieles choses en citee burgh ville port de meer ou autre lieu qait franchises encontre la fourme de ceste ordinance & les mair baillifs ou autres qe ont garde de la dite franchise requiz par les dites merchantz ou autre en leur noun de ent faire remedie & ils nel font mye & de ce soient atteintz soit la franchise pris en la main le Roi & nientmeins soient ceux qaveront fait celle desturbaunce contre cest estatut tenuz de rendre & restorer au pleintif ses damages qil avera soeffert par celle encheson au double. Et si tiele desturbaunce soit fait as tieux merchauntz ou as autres es villes & lieux ou franchise nest my & le seignour sil soit present ou son baillif constable ou autre gardein des dites villes & lieux en absence des seignours ent requiz de faire droit & nel facent & de ceo soient atteintz rendent les damages au pleintif au double auxi come dessus est dit & les destourbours en lun cas & en lautre auxibien deinz franchises come dehors sils soient atteintz eient la prisone dun an & ent soientz reintz a la volente le Roi. Et auxint est ordeigne & establi qe le chaunceller tresorer & Justices assignez a tenir les plees le Roi es lieux ou ils viegnent enquerent des tiels destourbaunces & grevaunces & facent punissement selonc ce  
qe

(13) And if it so happen, that from henceforth disturbance be made to any merchant alien or denizen, or other, upon the sale of such things in city, borough, town, port of the sea, or other place that hath franchise, against the form of this ordinance; and the mayor, bailiffs, or other that have the keeping of such franchise, required by the said merchants, or other in their name, thereof to make remedy, do not the same, and thereof be attainted, the franchise shall be seized into the King's hand; and nevertheless, they that have done such disturbance against this statute, shall be bound to render and restore to the plaintiff his double damages that he hath suffered by this occasion. (14) And if such disturbance be made to such merchants or to other intowns and places where no franchise is, and the lord, if he be present, or his bailiff, constable, or other warden of the towns and places, in absence of the lords thereof, required to do right, and do not, and thereof be duly attainted, they shall yield to the plaintiff his double damages, as afore is said, and the disturbers in the one case and the other, as well within franchises as without, if they be attainted, shall have one year's imprisonment, and be ransomed at the King's will. (15) And it is ordained and established, That the chancellor, treasurer, and justices assigned to hold pleas of the King in the places where they come, shall diligently inquire of such disturbances and grievances, and do punishment according as afore is ordained. (16) And nevertheless,

nevertheless, the King shall assign by commission certain people, where and when shall please him, to inquire of such disturbances and grievances, and to punish the offenders in this party, as before is said.

9 H. 3. stat. 1. c. 30.

qe par defus est ordeigne. Et nientmiens qe le Roi face assigner par commission certains gentz ou & quant lui plerra denquerre de tielles destourbaunces & grevances & de faire punissement de trespasours en celle partie come deffus est dit.

### CAP. II.

*A confirmation of the statute of 25 EDW. III. stat. 4. cap. 3. against forestallers.*

Exedit Raftal. Forestallers,

altered by 5 & 6 Ed. 6. c. 14.

**I**TEM, it is ordained and established, That the statute made in the time of King EDWARD the grandfather, the xxv. year of his reign, of forestallers of wines victuals wares and merchandises, which come to the good towns within the realm by land or by water, shall be holden and firmly kept in all points and put in due execution for the common profit of the said realm.

### CAP. III.

*Merchants of the west may buy merchandises, so that they find sureties to carry them to the west, or to Calais.*

Merchants strangers.

Staple of Calais.

**I**TEM, it is ordained and assented, That all merchants of *Genoa, Venice, Catalonia, Arragon*, and other realms, lands and countries towards the west, being of the King's amity, that will bring to *Hampton* or elsewhere within the realm carracks, ships, gallies, or other vessels charged or discharged, may freely sell their merchandises to whom please them by the manner as afore is said, and there recharge their vesse's of wools, leather, woolfells, tin and of other merchandises of the staple, and freely bring them into their country towards the west, paying at the ports where they charge them, all manner of customs and subsidies, and other devoirs of *Calais*, as much as they should pay if they should bring the same merchandises to the staple of *Calais*, so that they find sufficient surety, that they shall bring the same towards the west, and to no place elsewhere towards the east, but to the staple of *Calais*, if percase they will go, upon pain of the forfeiture ordained before this time.

### CAP. IV.

*The penalty of mariners retained to serve the King on the sea, which do depart without licence.*

Altered 18 H. 6. c. 19. and 5 El. c. 5. Mr. Justice Foster's rep. 169, 170.

**I**TEM, because that divers mariners, after that they be arrested and retained for the King's service upon the sea, in defence of the realm, and thereof have received their wages pertaining, do flee out of the said service without licence of the admirals, or of their lieutenants,

**I**TEM, pur ceo qe plusours mariners apres ce qils sont arrestuz & retenuz pur service du Roi sur la meer en defence de roialme & ent ont receuz leurs gages appartenantz sensuent hors du dit service sanz conge des admiralx ou de leur lieutenantz

lieutenantz a grant damage du Roi nostre seigneur & du roialme & arrierissement de ses viages auant ditz ordene est & establi que touz ceuz mariners queux desore feront en tielle manere & cela trouvez & prouuez veritablement devant le admiral ou son lieutenant soient tenuz de restorer a nostre seigneur le Roi le double de ce qils aueront pris pur leur gages nientmeins eient la prison d'un an sanz ent estre deliveréz par mainprise baille ou par autre voie. Et le Roi voet & commande a touz viscontz mairs & bailifs deinz franchises & dehors que a la certification des ditz admirals ou leur lieutenantz par leurs lettres ent affaires tesmoignantes la dite proove facent tantost sanz attendre autre mandement de Roi nostre seigneur prendre & attacher touz ceuz mariners futifs par leur corps deinz leur baillies deinz franchises & dehors & les mettre en prison illoques a demurer en bon & seure garde tanque ils aueront fait gree au Roi come dessus est dit & ent eient special mandement de Roi nostre seigneur de leur deliverance. Et au tiel punissement soit fait des sergeantz darmes maistres des nefs & touz autres que seront atteintz par enquerre devant l'admirall ou son lieutenant auant dit qils eient rienz pris des ditz mariners pur leur soefrer aler a leur large hors del service auant dit apres ceo qils eient este arrestuz pur mesme le service.

them to go at large out of the said service, after that they have been arrested for the same service.

*lieutenants, to the great damage of the King and his realm, and hinderance of the said voyages: it is ordained and stablished, That all those mariners, which from henceforth shall do in such manner, and that truly found and proved before the admiral, or his lieutenant, shall be holden to restore to our said sovereign lord the King, the double of that they have taken for their wages; and nevertheless shall have one year's imprisonment, without being delivered by mainprize, bail, or by other way. And the king will and commandeth to all sheriffs, mayors, and bailiffs, within franchises and without, That at the certification of the said admirals, or their lieutenants, by their letters thereof to be made, testifying the said proof, shall incontinent, without waiting any other commandment of the King our sovereign lord, to take and attach all fugitive mariners by their body, within their bailiwicks, within franchises and without, and put them in prison, there to abide in good and sure keeping, till they have made gree to the King as afore is said, and thereof have a special commandment of our sovereign lord the King of their deliverance. And like punishments shall be made of serjeants of arms, masters of ships, and all other, that shall be attained, by enquiry before the admiral, or his lieutenant aforesaid, that they have any thing taken of the said mariners, for to suffer*



## CAP. V.

*The penalty for telling slanderous lyes of the great men of the realm.*

21 Co. 134.  
2 Inst. 227.  
Vaughan, 139.  
Palmer, 565.

**I**TEM, of devisors of false news and of horrible and false lyes, of prelates, dukes, earls, barons, and other nobles and great men of the realm, (2) and also of the chancellor, treasurer, clerk of the privy seal, steward of the King's house, justices of the one bench or of the other, and of other great officers of the realm, of things which by the said prelates, lords, nobles, and officers aforesaid, were never spoken, done, nor thought, (3) in great slander of the said prelates, lords, nobles, and officers, whereby debates and discords might arise betwixt the said lords, or between the lords and the commons (which God forbid) and whereof great peril and mischief might come to all the realm, and quick subversion and destruction of the said realm, if due remedy be not provided: (4) it is straitly defended upon grievous pain, for to eschew the said damages and perils, that from henceforth none be so hardy to devise, speak, or to tell any false news, lyes, or other such false things, of prelates, lords, and of other aforesaid, whereof discord or any slander might rise within the same realm; (5) and he that doth the same shall incur and have the pain another time ordained thereof by the statute of Westminster the first, which will, that he be taken and imprisoned till he have found him of whom the word was moved.

2 Mod. 98, 161.  
The penalty for telling of slanderous news of the peers or other great officers of the realm.

3 Bullst. 235.  
1 Leon. 287.  
Dyer, 155.  
4 Co. 12.  
Kel. 26.  
Cro. El. 1.  
Cro. Car. 135.  
W. Jones, 194.  
Ralt. 393.

3 Ed. 1. c. 34.  
12 R. 2. c. 11.  
1 & 2 Ph. M. c. 3.  
2 El. c. 6.

**I**TEM de controours de faux novels & countours des horribles et fauxes menfonges des prelatz ducs countes barons & autres nobles & grantz de roialme & auxint del chaunceller tresorer clerk de prive seal senefchal del hostiel nostre seigneur le Roi justices del un bank & del autre & dautres grantz officers du roialme des choses qe par les dits prelatz seignurs & officers ne furent unques parlez touchés ou penfés en grant esclandre des prelatz seignurs nobles & officers avantdits par ont debates & descordes purroient fourdre parentre les dits seignurs ou parentre les seignurs & communes qe Dieu ne veulle & doat grant peril & mefchief purroit avenir a tout le roialme & legerement subverfion & destruction del roialme avantdit si due remede ny fuiffe mys est defendus estroitement & sur grand peine pur eschuser les damages & perils avantdits qe desore nul soit si hardi de controver dire ou counter aucune faux novelles menfonge ou autre tiel fauz chose des prelatz seignurs & les autres defusdits dont discord ou esclandre aucune puisse fourdre deins mesme le roialme et qi le fra eit & encourage la paine autrefois ent ordenes par estatut de Westm' primer qe voet qil soit pris & emprisonnes jeques a tant qil eit troves celluy dont la parole sera moeves.

## C A P. VI.

*Commissions shall be awarded to arrest rioters, and other persons offensive to the peace, and to imprison them.*

**I**TEM, because that our sovereign lord the King hath perceived, as well by many complaints made to him, as by the perfect knowledge of the thing, that as well divers of his liege people in sundry parts of the realm, as also the people of *Wales*, in the county of *Hereford*, and the people of the county of *Chester*, with the counties joining to *Chestershire*, some of them claiming to have right to divers lands, tenements, and other possessions, and some espying women and damsels unmarried, and some desiring to make maintenance in their marches do gather them together to a great number of men of arms and archers, to the manner of war, and confederate themselves by oath and other confederacy, not having consideration to God, nor to the laws of holy church, nor of the land, nor to right, nor justice, but refusing and setting apart all process of the law, do ride in great routs in divers parts of *England*, and take possession, and set them in divers manors, lands, and other possessions of their own authority, and hold the same long with such force, doing many manner apparelments of war, and in some places do ravish women and damsels, and bring them into strange countries, where please them, and in some places lying in await with such routs do beat and maim, murder and slay the people, for to have their wives and their goods and the same women and goods retain to their own use, and sometime take the King's liege people in their houses, and bring and hold them as prisoners, and at the last put them to fine and ransom, as it were in a land of war, and some time come before the justices in their sessions in such guise with great force, whereby the justices be afraid and not hardy to do the law, and do many other riots and horrible offences, whereby the realm in divers parts, is put in great trouble, to the great mischief and grievance of the people, and the hurt of the King's majesty, and against the King's crown: our sovereign lord the King, desiring sovereignly the peace and quietness of his realm, and his good laws and customs of the same and the rights of his crown to be maintained and kept in all points, and the offenders duly to be chastised and punished (as he is sworn at his coronation) by the assent of all the lords and peers being in this parliament, hath defended upon the perit that belongeth, that none be so hardy from henceforth to do any thing that shall be in affray of the people against the peace. And moreover it is ordained and established, that the statute of *Northampton*, made in such case in the time of the said grandfather, be holden and kept in all points. And also it is assented, That certain sufficient and valiant persons, lords or other, shall be assigned by the King's commission in every county through the realm, whereas shall need, which shall have power by their commission, that as soon as they know, or that they be credibly certified

Ex. edit. Raft.

Peace.  
Statute of  
Northainton.

Assemblies:  
Routs.

certified of any assemblies, routs or ridings of offenders, barretors, and other such rioters in their marches, in affray of the people, and against the peace, to arrest them incontinent without tarrying for indictments or other process of the law, by their body, and to bring their captains and heads, and send them to the next gaol, with the cause of their arrest clearly and distinctly put in writing, there to abide in prison in sure keeping, till the coming of the justices into the country, without being delivered in the mean time by mainprise, bail, or in other manner. And all the lords being in the parliament be charged by the King, and they have of their good free will lawfully promised to be in aid, to their power, to the said commissioners; if need be, and be required to keep and do to be kept by them and their regard to any person for amity, alliance, or otherwise. And our sovereign lord the King will and commandeth to all his justices, having power at their making deliverance, that ready justice and punishment be done upon all persons, that shall be attained of such riots and offences, to every man according as the case requireth, and in such manner that the same punishment be an example to other.

Rep. s R. 2.  
stat. 2. c. 2.  
17 R. 2. c. 8.

### C A P. VII.

*Urban was duly chosen pope, and so ought to be accepted and obeyed.*

**I**TEM pur ceo qe nostre seignur le Roi ad entenduz sibien par certains lettres patentés nouvellement venuz de certains cardinalx rebeulx countre nostre seint piere Urban a ore pape come autrement par commune fame qe division & discord estoit parentre nostre dit seint pier & les ditz cardinalx les queux favorcent a tout leur poair a deposer nostre dit seint pier de lestat de pape & de exciter & commover par leurs meins vraies suggestions les rois princes & le poeple cristien encontre luy a grant peril de leurs almes & a tresmal exemple nostre dit seignur le Roi fist monstrier les dites lettres as prelatz seignurs & autres granz & sages de son roialme esteantz au dit parlement & veues & entenduz les lettres avantdites & eu meure deliberation sur la matiere estoit par les ditz prelatz pronunciez & publiez par plusieurs grandes & notables resons illoeqes monstrez en plein parlement sibien par matiere trove es dites lettres come autrement qe le dit Urban estoit duement esluz en pape & qe ensy est il & doit estre verrai pape & li come pape & chief de seinte esglise sen doit accepter & obeir & a ceo faire sacorderent touz les prelatz seignurs & communes en le parlement avantditz. Et en outre est assentuz qe touz les benefices & autres possessions qe les ditz cardinalx rebellantz & touz autres leurs coadjutours fautours adherents ou aucuns autres enemys de nostre dit seignur le Roi & de son roialme ont deins le poair nostre dit seignur le Roi soient seises es mains de mesme nostre seignur le Roi & qe nostre seignur le Roi soit respondus des fruits & profits de mesmes les benefices & possessions tant come ils demorront en ses mains par la cause avantdite. Et auxint est ordenes qe si aucun lige du Roi

Roi ou autre deins son poair purchase provision benefice ou autre grace daucun par autre noun de pape qe del dit nostre seint pier Urban ou soit obeisant a aucun autre persone come a pape soit mys hors de la protection nostre seignur le Roi & ses biens & chateux seises come forfaites.

## CAP. VIII.

*The statute of the 23 Edw. 3. and all other statutes of labourers, &c. confirmed.*

**Y**TEM, of labourers it is ordained and established, That the ordinance thereof made in the time of the said grandfather, which beginneth, *Because a great part of the people*, be affirmed and holden for a statute. And that as well this statute as all other statutes and ordinances made of artificers, servants and labourers before this time, be firmly kept and put in due execution. And therefore we command, &c. &c.

Rep. 5 Eliz.  
C. 4.

*Consimiles literæ diriguntur singulis vicecomitibus per Angliam sub eadem data.*

**Other statutes made at Westminster, Anno 2 RICH. II. stat. 2. and Anno Dom. 1379.**

**A**L honour de Dieu & de seinte eglise & pur commune profit du roialme dEngleterre nostre seignur le Roi RICHARD a son parlement tenu a Westm' en la quinzaine de Pasqe lan de son regne second del assent des prelatz ducs contes barons & dautres grants & communes de son dit roialme dEngleterre au dit parlement somones ad ordenes & establi en meisme le parlement pur quiete de son poeple les estatuts & establessments qe sensuent perpetuelment aduersers en son roialme avantdit.

**T**O the honour of God and of holy church, and for the common profit of the realm of England, our lord the king RICHARD, at his parliament holden at Westminster in the fifteenth of Easter, the second year of his reign, of the assent of the prelates, dukes, earls, barons, and other great men, and of the commons of this realm summoned to the said parliament, hath ordained and established in the same parliament, for the quietness of his said people, the statutes and ordinances following, perpetually to endure in his said realm.

## CAP. I.

*A confirmation of the liberties of the church.*

**P**Rimerement qe seinte eglise seoit & enioie ses franchises & libertees en tous points si avant come ele le avoit en temps de ses nobles progeniteurs Rois dEngleterre & qe la GrantChartre & la Chartre de la Foreste & les bones loys de la terre soient fermement tenez & gardes

**F**IRST, That holy church have and enjoy her franchises and liberties in all points in as ample manner as she them had in the time of his noble progenitors Kings of England; (2) and that the Great Charter, and the Charter of the Forest, and the good laws

A confirmation of the liberties of the church and the laws of the realm.

laws of the land, be firmly gardes & mises en due execution holden and kept, and put in due execution.

## CAP. II.

*A repeal of the statute of 2 RICH. 2. stat. 1. cap. 6. touching riots.*

Ex edit Rast.  
Assemblies,  
Routs.

**I**TEM, *it is assented*, That the article comprised in the statute last made at *Glocester* of assemblies, ridings, and routs of offenders in the country, which beginneth: *Item, because that our sovereign lord the King, &c.* which article seemeth to the said commons very grievous, at the prayer of the said commons be utterly repealed and adnulled, the statute of *Northampton* being always in his force. And it is assented, That they which be taken and imprisoned by virtue of any words comprised in the said article, without other indictment shall be utterly delivered.

## CAP. III.

*Fraudulent deeds made by debtors to avoid their creditors, shall be void.*

Fraudulent  
deeds made by  
debtors to a-  
void their cre-  
ditors, shall be  
void.

**I**TEM, *in case of debt*, where the debtors make feigned gifts and scoffments of their goods and lands to their friends and other, and after withdraw themselves, and flee into places of holy church privileged, and there hold them a long time, and take the profit of their said lands and goods so given by fraud and collusion, whereby their creditors have been long and yet be delayed of their debts and recovery, wrongfully and against good faith and reason: it is ordained and established, That after that the said creditors have thereof brought their writs of debt, and thereupon a *Capias* awarded, and the sheriff shall make his return, that he hath not taken the said persons because of such places privileged, in which they be or shall be entered, then after such return made, another writ shall be granted and made to the sheriff, in which writ shall be comprised, that proclamation be made openly at the gate of the place so privileged, where such persons be entered, by five weeks continually, every week once, that the same person be at a certain day, comprised in the same writ, before the King's justices, there to answer to the plaintiff of his demand: and upon this writ returned by the said sheriff, that proclamation is made in the said form, if the said persons called, come not in proper person nor by attorney, judgement shall be given against them upon the principal for their default. And out of the same judgement execution shall be made of their goods and lands, being out of the place privileged, as well that is to say, of those lands and goods so given by collusion, as of any other out of the same franchise, after that such collusion or fraud be duly found in the same manner as that ought to have been, if no devise had been thereof made, notwithstanding the same devise. *But it is not the King's mind, that by virtue of this statute any man be barred of his suit against such debtors by the common course of the law, before this present statute used.*

50 Ed. 3. c. 6.  
3 H. 7. c. 4.  
33 Eliz. c. 5.

By. 295.  
21 Jac. 1. c. 28.

Statute

Statutes made at *Westminster*, Anno 3 RICH. II.  
and *Anno Dom.* 1379.

**L**E Roi as viscontes de Londres saluts. Saches qe a nostre darrein parlement tenu a Westm<sup>r</sup> del assent des seignurs & autres en dit parlement avons fait faire certains estatuts & ordenances en la fourme qe sensuit.

**A**T the parliament holden at Westminster the Monday next after the feast of Saint Hilary, the third year of King RICHARD the second, of the assent of the loras and other in the said parliament, our said lord bath caused to be made certain statutes and ordinances in the form following.

CAP. I.

*A confirmation of the laws of the church, and of the laws and statutes of the realm.*

**P**Rimerement ordeignes est & establis qe seinte eglise eit & enjoie entierment ses franchises & libertees par manere qe les eit eus & enjoies en temps des nobles progenitours nostre seigneur le Roi desusdit & qe les bones leys & custumes du roialme & les estatuts faits devant ceste heure & nient repelles soient tenus & fermement gardes & mys en due execution.

**F**IRST it is ordained and established, That holy church have and wholly enjoy her franchises and liberties, by the manner as she hath had and enjoyed them in the time of the King's noble progenitors; (2) and that the good laws and customs of the realm, and the statutes made before this time, and not repealed, be holden and firmly kept and put in due execution.

*A confirmation of the liberties of the church, and of the laws of the realm.*

CAP. II.

*The penalty of the aulneger that setteth his seal to faulty cloths.*

**I**TEM, because that the commons do greatly complain them to be grieved, in that that whereas in the time of the King's noble grandfather, it was ordained for the common profit of the realm, that all the woollen cloths from thenceforth to be made in *England* which should be set to sale should contain a certain measure in length and breadth, upon a certain pain comprised in the said statute, nevertheless divers people through the realm, not having regard to the said statute, make now divers woollen cloths vendible, which do not contain the measure nor the assise ordained by the same statute, and which worse is, cause subtilly to be tacked and set together with thread divers pieces of such cloths, and after by covin betwixt them and the King's aulnegers, to hide and colour the falsity, do procure the said aulneger to put the seal ordained upon the same cloths, to the intent that the buyers might believe, that such cloths so sealed be sufficient cloths, and whole, containing the same assise, for otherwise they had not been sealed, as they say, in great de-

ccit

ceit of the people, and mischief to the said buyers, as well denizens as strangers: it is accorded and assented, That the statutes made of the said cloths before this time, and not repealed, be kept and duly put in execution. And moreover it is assented, That if any the said aulnegers or of the collectors of the subsidy of the said cloths, do from henceforth set his seal to any such cloth so sewed in deceit, the same cloth shall be forfeit to the King, in whose hands soever it be found, and also the aulneger or collector thereof found guilty, shall forfeit his office. And if he have put the same seal to any other cloth vendible, that is not of the said assise, the same aulneger or collector shall forfeit to the King the value of the same cloth so sealed in deceit of the people, together with his said office. And nevertheless, for the said falsity he shall have one year's imprisonment, and then be ransomed at the King's will. And this statute shall begin to hold place at the nativity of Saint *John Baptist* next coming, and not before.

The penalty of the aulneger that setteth his seal to cloth tacked together faulty or lacking assise.  
2 Ed. 3. c. 14.  
27 Ed. 3. stat. 2. c. 1.  
11 H. 4. c. 6.  
21 W. 3. c. 20.

## C A P. III.

*None shall take any benefice of an alien, or convey money to him.*

4 Inst. 51.  
Enforced by  
7 R. 2. c. 12.

**I**TEM, because that our lord the King hath perceived, as well by the complaints of his faithful liege people, and by their clamour by divers petitions thereof delivered in divers parliaments before this time, as otherwise by the perfect knowledge and experience of the deed, how the churches cathedral and collegial, abbeyes and priories and other benefices of his realm, which were late founden, and richly endowed by his noble progenitors, in which divers dignities, offices, parsonages, chanonries, prebends, and other benefices, were solemnly and devoutly ordained and established of the assent of the foresaid progenitors of the King, and of other their noble founders, which did give to the said pastors of the same churches, abbeyes, priories, and of other great places, the advowsons of the same benefices, to the intent that the same benefices should be given to honest and meet persons of the realm, to serve and honour God diligently, and also to keep hospitality, and to inform and touch the people, and to do other worthy things

**I**TEM pur ce que le Roi nostre seigneur ad entenduz si bien par les plaintes de sez foiaux liges & par le clamour de son poeple par leurs diverses petitions ont baillez avant en diverses parlemantz devant ceste heure come autrement par la notoritee de la chose & experience de fait coment les eglises cathedralx collegialx abbeyes priories & autres benefices de son roialme que furent jadis founduz & richement douez par les nobles progeniteurs en les quelles diverses dignities offices parsonies chanonies prebendes & autres benefices estoient solemnement & devouement ordenez & establiz del assent des ditz progeniteurs le Roi & dautres leurs nobles fondours qi donerent as pasteurs de mesmes les eglises abbeyes priories & dautres grantz lieux avantditz ladvouesons de mesmes les benefices al entente que mesmes les benefices seroient donez as personnes honestes & convenables du dit roialme pur Dieu servir & honorer plu-

The causes why advowsons of benefices were given to spiritual persons.

is diligence & auxint pur hospitalitee tenir & pur enformer & enseigner le poeple & faire les autres nobles choses appartenantz a la cure des almes selonc lestat & qualitee des ditz benefices & ensi estoit fait de tout temps passe puis la fundation dycelle tanqe a un poie de temps passe qe parmy les informations instigations & procurement dascuns des liges nostre dit seigneur le Roi mesmes les benefices aient este donnez encontre la volente des foundours as plusieurs diverses persones dautri lange & estranges terres & nations & a la foitz as vrais enemys du Roi & de son Roialme les queux ne fesoient unques residence en ycelles ne ne scievent ne poient ne veullient nullement porter ne faire les charges des ditz benefices come en oier les confessions precher ne enseigner le poeple hospitalitee tenir ne accomplir les autres choses necessaires au gouvernement de mesmes les benefices mais seulement ent querent & preignent les emolumentz & temporeles profitz nient eiantz regard a la cure espiritele ne as autres charges de mesmes les benefices appartenantz ou incumbentz einz soeffrent notoirement les nobles edifices anciennement fait illoques quant mesmes les benefices estoient occupiez par les Engleis de tout cheier a ruyne par ont le divin service est tresgrantement diminue la cure des almes negligee & lessé & le clerge enfeblez le tresor du dit roialme emportez as mains des aliens & tout lastate de seint eglise mesnez a meindre reverence qe devant ne soleit estre & coment qe en temps le dit aiel certains

things pertaining to the cure of souls, after the estate and quality of the said benefices: (2) And so was it done in all times past after the foundation of the same, till now of late, that by the informations, instigations, and procurements of some of the King's liege people, the same benefices have been given, against the will of the founders, to divers people of another language, and of strange lands and nations, and sometimes to the utter enemies of the King and of his realm, which never made residence in the same, nor cannot, may not, nor will not in such wise bear and perform the charges of the same benefices, as in hearing confessions, preaching, nor teaching the people, keeping hospitality, nor accomplishing the other things necessary to the governance of the same benefices, but only thereof have and take the emoluments and temporal profits, not having regard to the spiritual cure, nor to other charges to the same benefices pertaining or belonging, but manifestly suffer the noble buildings in old times there made, when the same benefices were occupied by Englishmen, wholly to fall to decay, whereby the divine service is greatly diminished, the cure of souls neglected and left, the clergy enfeebled, the treasure of the said realm carried to the hands of aliens, and all the estate of holy church brought to less reverence than before it was wont to be: (3) and

The inconveniencies which have ensued by giving of benefices to aliens.

25 Ed. 3. tit. 6.



*comfort, aid, and great succour which they have had of the King's liege people, that be their fermors, procurators, and attornies in this behalf and in every part of the said realm, do enforce themselves from day to day more and more to accept the greatest dignities and benefices within the said realm, and by divers cautelous manners, much prejudicial to the same realm if that were suffered, whereby the said mischiefs do daily increase, and much more will increase, if due remedy be not the sooner provided.*

ordinances estatutz & compositions y fussient faitz & affermez pur ouster de tout ou a meins pur restreindre les ditz meschiefs en partie nientmeins les ditz aliens nient eiantz regard a cella ne se abstiegnent mye de prendre & recevoir tieux benefices deinz le dit roialme einz par my le confort eide & grant focour qils ont des liges nostre dit seignur le Roi qui sont leur fermers procurateurs & attornes en ycelle partie en chescun partie del dit roialme saiforcent de jour en autre plus & puis de accepter & avoir les greindres dignites & benefices deinz le roialme avantdite & par diverse manere molt prejudiciele a mesme le roialme si ceo fuisit soefferte paront les ditz meschiefs encrefcent de jour en autre moltz outrageusement & puis encrefceront si due remede ne soit purveuz les plus en haste.

None shall take in ferm any benefices of the church of an alien without the King's licence.

II. Our lord the King, by the advice and common assent of all the lords temporal being in this parliament, hath ordained and established, That none of the King's liege people, nor other person, of whatsoever estate or condition that he be, shall not take nor receive within the same realm of *England*, procuracy, letter of attorney, nor ferm, nor other administration by indenture, nor in any other manner whatsoever, of any person of the world, of any benefice within the said realm, but only of the King's liege people of the same realm, without the special grace and expres licence of our lord the King, by the advice of his council. (2) And if any before this time have accepted of any aliens such procuracies, fermes, or administration, that they shall utterly leave them within forty days after publication of this ordinance. (3) And that none of the said liege people, nor other that may be found in the said realm, shall convey by virtue of such procuracy, ferm, or administration, gold, silver, nor other

Nostre seignur le Roi par ladvis & commune assent de touz les seignurs temporels esteantz en ce parlement adordeinez & establiz qe nul homme des liges le Roi nautre persone quelconque de quel estat ou condition qil soit ne preigne ne receive deinz le roialme d'Engleterre procuracie lettre d'atourne ne ferme nautre administration par indenture ne en autre manere quelconque de nul persone du monde d'aucun benefice deinz le dit roialme fors que tantseulement des liges de nostre seignur le Roi de mesme le roialme sanz especial & expresse congie de nostre dit seignur le Roi par ladvis de son conseil. Et si ascuns devant cest heure eient acceptez d'aucuns aliens tielx procuracies fermes ou administration qils

None shall convey money out of the realm for such ferm.

les lessent oultrément deinz xl. jours apres la publication de ceste ordinance. Et qe nul des ditz liges nautre qe purra estre trovez en dit roialme nenvoie par vertue de tiele procuracie ferme ou admistration ore argent nautre tresor ne commodite hors du dit roialme par lettere deschange par marchandie nen autre manere quelconque au profit des ditz aliens sanz semblable congie du Roi par ladvis de son dit conseil. Et si ascun face le contraire en ascun point contenuz en cest ordinance encourge la peine & punissement contenuz en lestatut des provisours fait en temps le dit aiel lan de son regne xxvii<sup>me</sup> par mesme le proces compris en dit estatut & par garnissement affaire a eux en leurs benefices ou autres leurs possessions deinz le roialme et s'ils soient pardehors le dit roialme & naient benefices ne possessions deinz mesme le roialme ou ils purront estre garniz adonques soit brief fait en la chancellarie fondez sur ceste ordinance as viscontz de Londres ou al viscont del contee en quel ils furent ou seront neez a la suite le Roi retournable en lun bank ou en lautre par quel brief soit comande proclamation estre fait overtement qils soient devant les justices en le bank ou le brief est retournable a certain jour compris en mesme le brief contenant l'espace de demy an pur respondre sur les matires compris en le dit brief & cel brief retournez delors procedent les justices envers eux selonc la fourme desus ordeine. Et est defenduz depar le Roi en dit parlement del assent avantdit qe nul evesqe nautre persone de seinte esglise

other treasure nor commodity out of the said realm, by letter of exchange, by merchandise, nor in other manner, to the profit of the said aliens, without like licence of the King by the advice of his said council; (4) and if any do the contrary in any point contained in this ordinance, he shall incur the pain and punishment contained in the statute of provisors, made in the time of the King's grandfather, the seven and twentieth year of his reign, by the same proces comprised in the said statute, (5) and by warning to be made to them in their benefices, or other their possessions within the realm, (6) and if they be out of the said realm, and not beneficed, not having possession within the same realm where they may be warned, then a writ shall be made in the chancery grounded upon this ordinance to the sheriff of *London*, or to the sheriff of the county in which they were or shall be born, at the King's suit, returnable in the one bench or the other; by which writ it shall be commanded, that proclamation be made openly, that they appear before the justices in the bench where the writ is returnable at a certain day comprised in the same writ, containing the space of half a year, to answer upon the matters comprised in the said writ; (7) and after this writ returned, the justices shall proceed against them according to the form above ordained.

(8) And it is assented by the King in the same parliament, by the assent afore said, That no bishop, nor other person of holy church through the realm, shall meddle by way of seque-

Stat. 27 Ed. 3<sup>d</sup>  
de provisori-  
bus.

Proces award-  
ed against of-  
fenders that  
are out of the  
realm.

None shall  
meddle by se-  
questration,  
nor in other  
manner, with  
a benefice giv-  
en to an alien.

1 H. 5. c. 7.

stration, nor in any other manner, with the fruits of such benefices given or to be given to the said aliens, to the profit of the same aliens, upon the peril that belongeth. Dated, &c.

*It is said in the Old Abridgement, that the lords spiritual did not assent to this statute.*

esglise par my le roialme ne se medle par voie de sequestration nen autre manere quelconque des frutz de tieux benefices donnez ou adoners as ditz aliens au profit de mesmes les aliens sur le peril qappent. Et par ce vous mandons qe les ditz estatutz facez dueement proclamer & publier es lieux notables deins vostre baillie & les fermement tenir & garder selonc la fourme dicelles. Dou par tesmoignance de nostre grant seal a Westm' le xii. jour de Marz lan de nostre regne tierce.

Statutes made at Northampton, Anno 4 RICH. II.  
and Anno Dom. 1380.

CAP. I.

*All vessels of wine, honey, and oil brought into this realm shall be gauged.*

**R**ICHARD by the grace of God, &c. to the sheriff of Nottingham, greeting. *The commons of our realm of England have prayed us by their petition delivered to us at our present parliament holden at Northampton, containing how many wines of divers manners ostentimes brought within the land, which do often pass without gauging, because that the statutes thereupon made in the time of our grandfather (whom God assail) do not make expresse mention of all manner of wines, and of other liquors, to the great damage of the lords and commons of the same realm, whiche be oftentimes deceived in their buying, because they cannot without gauge have rightful knowledge how much the same vessel will contain, That it may please us, for the profit of us and our realm more plainly to declare the same statutes, in such manner, that all manner of wines, and other liquors gaugeable brought within this realm, may be comprised*

**L**E Roi a viscont de Kent salut. Suppliez nous est par la communalte de nostre roialme dEngleterre par leur petition a nous baillie a nostre present parlement tenu a Northampton contenant comment plusieurs vins de diverses maneres sont souvent amenes deinz la terre queux passent souvent sanz gauge par cause qe les estatutz sur ce faitz en temps de nostre aiell qi Dieux assoille ne font mie expresse mention de touz maneres vins & de autres lieours a grantz damages des seignurs & commons de mesime le roialme qi souvent sont deceuz en leur achats a cause qils, ne poent sanz gauge avoir droite conissance combien les vesselz contiegnent qe pleroit pur profit de nous & de nostre roialme plus overtement declarer mesmes lestatutz en tiell manere qe touz maneres des vins & autres lieours gaugeables amenez deinz le

roialme soient comprises en mesmes les estatutz nous entendantz la dite supplication estre profitable pur nous les seignurs & communes de mesme le roialme volons & grantons de lassent des prelatz & seignurs avaunt ditz qe lestatutz sur ce faitz comme dit est soient tenuz & gardez & myses en due execution. Et enoultre declarons & de lassent avaunt ditz volons & grantons qe sibien toutz maneres vesselx des vins douces Ryneys & dautres vins quelconques come autres vesselx de vinegre oille meel & de touz autres licours gaugeables qe desore vendront deinz le roialme d'Engleterre ou deinz noz terres d'Irlande & Gales soient bien & loialment gaugies par nous gaugeours a ce assignez ou leurs deputez. Et si aucun mette debate ou destourbance & ne voile soffrer ses vins ou autres licours susditz estre gaugiez encourage la peine ordeigne par les ditz autres estatutz. Et en mesme la manere encourgeant les ditz gaugeours la peine compris en mesmes les estatutz si defaut soit desore trevez en eux ou leur deputez en celle partie.

*prised in the same statutes: (2) we considering the said supplication to be profitable for us, the lords and commons of the same realm, will and grant by the assent of the prelates and lords aforesaid, That the statutes thereupon made (as is said), be holden, kept, and put in due execution. (3) And the assent aforesaid, will and grant, That as well all manner of vessels of sweet wines, of the Rhine, and of other wines, as other vessels of vinegar, oil, honey, and all other liquors gaugeable, which from henceforth shall come within this realm of England, or within our lands of Wales and Ireland, shall be well and lawfully gauged by our gaugers thereto assigned, or their deputies. (4) And if any set debate and disturbance, and will not suffer the wines or other liquors aforesaid to be gauged, he shall incur the pain ordained by the said other statutes. (5) And in the same manner the gaugers shall incur the pain comprised in the same statutes, if default be from henceforth found in them, or in their deputies in this behalf.*

All the vessels of wine, vinegar, honey, and oil, brought into the realm shall be gauged.

27 Ed. 3. c. 8.  
18 H. 6. c. 17.  
1 R. 3. c. 13.  
28 H. 8. c. 14.

## C A P. II.

*The King's pardon of escapes and felons, and clerks convict.*

**I**TEM, considering the great aids which the clergy and the commons of the same realm have done to us of their free will in our great necessities before this time, and specially now in this present parliament, we willing for so much, and for the great charges which they have had and suffered by the wars and other manner to do them grace and relief on the other part: have of our special grace at their prayer released and pardoned to the clergy and commons, and to every singular person of our said realm, as much as to us pertaineth, for all manner of escapes of felons made and fallen before the date of these presents, as well of clerks convict out of the ordinaries prisons, as of other prisoners and felons whatever, *except escapes adjudged before this time.*

Ex edit. Rastal.

Pardon,

Pro

*Provided always, That if any of the said escapes were made fraudulently by covin or of the assent of the keepers of the said prisoners, that the said escapes shall not be comprised within this our grace by any way. And that he that will enjoy this our grace and pardon, shall thereof pursue to have his charter in our chancery in due form. And therefore we command, &c. Dated at Northampton, the iij. day of November, the iij. year of our reign.*

Statutes made at *Westminster*, Anno 5 RICH. II.  
stat. 1. and Anno. Dom. 1381.

**R**ICHARD by the grace, &c. to the sheriff of Nottingham, greeting. Know thou, That to the reverence of God and of holy church, and for to nourish peace, unity, and quietness of good accord, in all parts of our realm of England, and especially for the good governance of the same realm (which we do chiefly desire) of the assent of the prelates, lords, and commons assembled at our parliament holden at Westminster the morrow after All souls last past, we have caused to be made certain ordinances und establishments, as well for the amendment of the said governance, as for the common profit of the realm, in the form following.

**R**ICHARD par le grace de Dieu Roi d'Engleterre & de France & seigneur d'Irlande a nostre viscont de Kent saluz. Sachez qe a la reverence de Dieux & de seinte esglise & pur nurrir paix unitee quiete & bone acord touz partz deinz nostre roialme d'Engleterre & par especial pur le bon gouvernement de mesme le roialme le quel nous desirons souverainement de lassent des prelatz seignurs & communes assemblez a nostre parlement tenuz a Westm' leindemain des almes darrein passez avons fait faire certaines ordnances & establishmentsz sibien pur amedement de dit governaill come pur le commune profit du roialme en la forme qe sensuyt.

CAP. I.

*A confirmation of the liberties of the church, and of all statutes made and not repealed.*

A confirmati-  
on of the li-  
berties of the  
church, and of  
the laws of the  
realm.

**F**IRST, it is assented and accorded, That holy church have and enjoy all her liberties and franchises wholly. (2) And that the Great Charter and the Charter of the Forest, and all other good statutes and ordinances made before this time, and not repealed, and especially the statutes of purveyors late made in the time of the noble King EDWARD our grand-

**P**Rimerement est assentuz & accordez qe seinte esglise eit & enjoise toutes ses libertees & franchises entierement. Et qe la Grand Chartre & la Chartre de la Foreste & touz les autres bones estatutz & ordnances faitz avant ces heures & nient repellez & par especial lestatutz des purveyours nadgairs faitz en temps du noble Roi E. aiel nostre seigneur le

le Roi qoreft qi Dieux affoill  
foient tenuz gardez & mifes en  
due execution felonc la forme  
& leffect dicell.

grandfather, be holden, kept,  
and put in due execution after  
the form and effect of the same.

## C A P. II.

*None shall transport gold or silver, nor depart out of the realm  
without licence.*

**I**TEM pur le grevoufe mes-  
chief qe le roialme soeffre  
& longement ad fait de ce qe  
or & argent sibien en monoie  
vessell plate & joialx come au-  
trement par eschaunges faitz  
en diverse manere est empur-  
tez hors de mesme le roialme  
iffint qapeine ent nest ores en  
effect rienz remys quele chose si  
plus longement fuisse soeffert  
cherroit legierement en destruc-  
tion dicell roialme qe Dieux ne  
veulle est assentuz & accordez  
& le Roi defende a toutes ma-  
neres des gentz marchantz  
clerks & autres sibien estraunges  
come denszeins de quelconque  
estat ou condition qils soient  
sur paine de quanqe ils purront  
forfaire qe nully de eux sur la  
dite paine en prive ne en ap-  
pert envoie nameisne ou face  
envoier ou ameisner hors del  
roialme avandit or ou argent  
aucun en monoie bullion plate  
vessel ne par eschaunges af-  
faires ne en autre manere quel-  
conque exceptes les gages de Ca-  
leys & dautres fortresses du Roi  
depar dela & exceptes par espe-  
cial les prelatz seignurs & autres  
de mesme le Roialme a les  
queux coviendra aucunes foitz  
necessairement faire paiementz  
depar dela qe de celles paie-  
mentz tantfolement purront ils  
faire eschaunge en Engleterre  
par bons & suffisantz marchantz  
pur paier depar dela eue prime-  
rement sur ce especiale congie &  
licence de nostre seignur le Roi  
sibien pur leschaungeours come  
pur

**I**TEM, for the great mischief  
which the realm suffereth, and  
long hath done, for that gold  
and silver, as well in money, ves-  
sel, plate, and jewels, as other-  
wise by exchanges made in divers  
manners, is carried out of the  
realm, so that in effect there is  
none thereof left, which thing if  
it should longer be suffered, would  
shortly be the destruction of the  
same realm, which God prohibit ;  
(2) it is assented and accord-  
ed, and the King enjoineth all  
manner of people, merchants,  
clerks, and other, as well  
strangers as denizens, of what  
estate or condition they be, up-  
on pain of as much as they  
may forfeit, that none of them,  
upon the said pain, privily nor  
openly send nor carry, nor  
cause to be sent or carried out  
of the said realm, any gold or  
silver, in money, bullion, plate,  
or vessel, neither by exchanges  
to be made, nor in other man-  
ner, but the wages of *Calais*,  
and of other the King's for-  
tresses beyond the sea, and es-  
pecially excepted the prelates,  
lords, and other of the same  
realm, to whom sometimes it  
behoveth necessarily to make  
payments beyond the sea, that  
of the same payments only they  
make exchanges in *England*,  
by good and sufficient mer-  
chants to pay beyond the sea,  
(3) and first special leave and  
licence had of the King, as  
well for the exchangers as for  
the person which ought to make  
the

Ed. 3. stat. 2.  
c. 1.  
H. 4. c. 5.  
H. 6. c. 6.  
H. 7. c. 5.

No man shall  
transport gold  
or silver with-  
out the King's  
licence.

In what cases,  
and for what  
causes, gold or  
silver may be  
transported.

the payments, containing expressly the sum which shall be so exchanged. (4) And it is assented, That the merchants that so shall make exchanges, shall be diligently examined and sworn in their proper persons, as often as they shall have the said licence, that they shall not send beyond the sea any manner of gold nor silver under the colour of the same exchange. (5) And if after proclamation of this ordinance any person be from henceforth duly attainted, that he hath caused to be sent or carried beyond the sea any gold or silver against this restraint and ordinance, he shall forfeit to the King the same sum so carried or sent.

Dyer, 128, 165, 176, 296.  
None shall depart without the King's licence.  
Repealed by 4 Jac. I. c. 1. s. 22. as to the Restraint of persons going beyond sea.

(6) and the King our lord of his royal majesty defendeth the passage utterly of all manner of people, as well clerks as other, in every port and othertown and place upon the coast of the sea, upon pain of forfeiture of all their goods, except only the lords and other great men of the realm, and true and notable merchants, and the King's soldiers. (7) And every person, other than is before excepted, which after publication of this ordinance made, shall pass out of the said realm without the King's special licence (which licence the King willeth and commandeth that it be not from henceforth made, but only in one of the ports underwritten, that is to say, *London, Sandwich, Dover, Southampton, Plymouth, Dartmouth, Bristol, Farnmouth, St. Botolph, Kingston upon Hull, Newcastle upon Tyne*, and the other ports and passages towards *Ireland*, and the isles pertaining to the realm of *England*) shall forfeit to the King

as

pur la persone qi devra faire le paiement contiegnante la somme en expres qe terra issint eschaungez. Et est assentuz qe les marchantz qi ensi ferrouz les ditz eschaunges soient diligement examinez & jurez en leurs propres persones a tant des soitz come ils averont la dite licence qils nenvoieront depar dela aucune manere de ne dargent souz colour de mesme leschaunge. Et si apres la proclamation de ceste ordinance aucune persone soit desore devant atteint qil avera fait envoier ou emportez depar d'or ou argent aucun encontre cestes desens & ordinance face devers le Roi mesme la somme issint emportez ou envoiez. Et le Roi nostre seigneur de sa roiale majestee defend de la passage oultrement a toutes maneres des gentz sibien clerks come autres en chescun port, autre ville & lieu sur la coste del meer sur paine de forfeiture de touts leurs biens hors tantseulement a les seignours & autres grantz personnes de roialme & verrois & notable marchantz & les soldours du Roi. Et quelconque personne autre qe dessus ne sont excepte apres la publication de ceste ordinance faite passe hors del roialme sans especial congie du Roi quele licence le Roi veult & comande qe ne soit fait desore sinoun tantseulement en un des ports dessous escriptz cestavoir *Londres Sandewich Dovor Southampton Plymouth Dertemuth Bristol Jerne-muth Seint Botolph Kyngston sur Hull Noef Chastel sur Tyne* & les autres portz & passages vers *Irlande* & les isles appartenantz al roialme d'Engleterre forface devers le Roi

quant

quancq il ad en biens come dessus est dit & jademains le maistre ou marinier de la nies ou dautre vessel en quele il a vera amefnez depar dela aucuns persone forsque ceux seulement qe pardessus sont exceptz sans la dite licence dont il soit conviect duement forface devers le Roi le dit vessel. Et si comande le Roi as touz gardeins & sercheours de les portz & passages parmy Engleterre qils usent desore diligeamment leurs offices & facent bone serche & estroit. Et si nully sercheour ou gardein des portz & passages parmy le dit roialme par negligence ou en autre manere face ou soeffre soitement estre fait en aucun point le contraire de les ditz deux articles touchantz la monnoie or & argent & le dit passage des gentz & de ce il soit conviect duement forface devers le Roi son dit office & toutz les biens avelsqe & soit son corps commis a la prisone a y demorer par un an entier sanz redemption. Et sur ce quelconque persone qi espiera & provvera duement qe riens soit fait contre lention des ditz deux derrains articles par ont la dite forfaiture devra eschere daucune persone eit il la moitree dicell forfaiture pur son travail del doune le Roi.

as much as he hath in goods, as above is said; (8) and nevertheless, the master or mariner of the ship, or of other vessel, in which he shall carry over beyond the sea any person but such only as be before excepted, without the said licence, and thereof be conviect duly, shall forfeit the said vessel to the King. (9) And the King commandeth all wardens and searchers of the ports and passages through *England*, that they shall from henceforth diligently use their office, and make good and strait search. (10) And if any searchers or wardens of the ports and passages through the said realm, by negligence or in other manner do or suffer wittingly to be done in any point the contrary of the said two articles touching the money of gold or silver, and the said passages of people, and thereof be duly conviect, he shall forfeit to the King his said office and all his goods, and his body shall be committed to prison, there to abide an whole year without redemption. (11) And thereupon whosoever spiieth and proveth duly, that any thing be done against the intent of the said two last articles, whereby the said forfeiture ought to fall upon any person, he shall have half of the same forfeiture for his labour of the King's gift.

The penalty of the master or mariner of the ship offending.

The penalty of searchers or wardens of ports offending.

### C A P. III.

*None of the King's subjects shall carry forth nor bring any merchandises, but only in ships of the King's allegiance.*

**I**TEM, to increase the navy of England, which is now greatly diminished: it is assented and accorded, That none of the King's liege people do from henceforth ship any merchandise in going out or coming within the realm of *England*, in any port, but only in ships of the King's liegance. And every person of

Ex edit. Rastal.  
Navy, ships,  
merchandise.  
6 R. 2. stat. 1.  
c. 8.

the



Repealed by  
1 Eliz. c. 13.  
5 Eliz. c. 5.  
13 Eliz. c. 15.

the said liegance, which after the feast of *Easter* next ensuing (at which feast this ordinance shall first begin to hold place) do ship any merchandise in any other ships or vessels upon the sea, than of the said liegance, shall forfeit to the King all his merchandises shipped in other vessels, wheresoever they be found hereafter, and the value of the same: of which forfeitures the King will and granteth, that he that duly espieth, and duly proveth that any person hath any thing forfeited against this ordinance, shall have the third part for his labour of the King's gift.

## C A P. IV.

*The severall prices of severall sorts of wines to be sold in gross or by retail, and the forfeiture of those which do sell them dearer.*

Wines.

**I**TEM, as to wines of Gascoine, Rochel, Osey, and of Spain, and wines of the Rhine: it is ordained and assented, That no Englishman that will from henceforth pass the sea for the said wines, and do bring them in any part within the same realm, shall not, nor may not sell his wines within the same realm upon pain of forfeiture of the same, or the price under limited, that is to say, the tun of the best wine of Gascoine, of Osey, or of Spain, C. s. and other tuns of common wines of the same countries for less price, according to the value, as for vii. marks, vii. marks and an half, and vi. marks, and the tun of other such wine at a less price, according to the value, as for five marks and an half, five marks, four marks and an half, and four marks and pipes and other vessels of less quantity of the same wines shall be sold at the said prices after the rate of the tuns, and the goodness of wine. And as to the retail of the said tuns of wines of Gascoine, of Osey, and of Spain, brought within the realm by Englishmen, the gallon of the best wine shall not be sold within the said realm (upon pain to forfeit all the vessel and wine to the King) above six pence, and within according to the value, and the gallon of the best wine of Rochel at four pence, and within according to the value. And as to the Rhinish wines brought within the same

Rhinish wine.

realm, because the vessels and the gallons of the same do not contain any certain measure: it is accorded and assented, That the gallon of the best Rhinish wine (nor in gross nor at retail) be sold in any part within the said realm by the said Englishmen, above vi. d. upon the same pain. Also it is assented, That if any Englishman refuse, and will not sell in gross his wines set to sale for the said prices before limited, but will keep them, only to sell them at retail, or in other manner above the same price before limited in fraud, and against the form of this ordinance, and the mayors and bailiffs, and other governors of the city, borough, town, or other place within whose power or jurisdiction the said wine shall be found, be it within franchise or without, shall have power by this same ordinance, after that the buyer, according to this ordinance, hath reasonably proffered money for the same wines, once or two times, to the seller of the same wines, to mak

make deliverance of the same wines being in bargain to the said buyers, and shall deliver to them the same in deed, as soon as they shall be thereunto required, for the price afore ordained. And if any of the said mayor, bailiffs, or other governors, after that they shall be thereof duly required, refuse to do the same, and make not the said deliverance, and that duly proved, he shall forfeit to the King the value of the said wines so bought. And the King's mind is not to restrain the taverns, and other sellers of wines, carrying the same into the country by carts, or in other manner by this ordinance, but that they may enhance the price of their wines for the costs of their carriage to be made by them reasonably, according as hath been ordained in times past: which ordinance shall be duly kept and put in execution. And especially no more shall be from henceforth enhanced upon the gallon of wine for the carriage of fifty miles than one halfpeny only. And likewise where greater or less carriage is to be made than by fifty miles, it shall be upon the gallon of wine after the rate and not above, upon pain of forfeiture of the same wines. And this ordinance of wines shall begin to hold place as soon as any new wines shall be brought within the said realm. Also the King defendeth, that no manner of sweet wine, nor claret, from henceforth after the nativity of Saint *John Baptist* next coming, shall be sold at retail in any part within this realm of *England*, within franchise or without, upon pain of forfeiture of the same. And the King will that he that shall espie and duly prove, or do to be proved, that any hath sold any manner of wines, sweet or claret, at retail or otherwise, or offended or forfeited after the terms above limited against the form of these ordinances of wines in any point, whereby he ought by the form of the same any thing forfeit to the King, he shall have the one half of the same forfeiture for his labour of the King's gift.

Mayor, bailiffs.

Sweet wines.

 Repealed by  
 6 R. 2. c. 7.  
 7 R. 2. c. 11.  
 Vide 28 H. 8.  
 C 14.

## C A P. V.

*The King's pardon to those that repressed or took revenge of his rebels.*

**I**TEM, our sovereign lord the King, perceiving that many lords and gentlemen of his realm of *England*, and other with them, in the rumour and insurrection of villains, and of other offenders, which now of late did traiterously rise by assemblies in outrageous number, in divers parts of the realm, against God, good faith, and reason, and against the dignity of our sovereign lord the King and his crown, and the laws of his lands, made divers punishments upon the said villains and other traitors without due process of the law, and otherwise than the laws and usages of the realm required, although they did it of no malice pre-pensed, but only to appease and cease the apparent mischief, considering the great diligence and loyalty of the lords and gentlemen in this behalf, which were not learned of the said laws and usages, and though at that time they had been learned, a man might not upon those punishments have tarried the process of the law of their good discretions. And willing therefore to do them grace, according as they have the same greatly deserved, of the assent aforesaid hath pardoned and released

Pardon.

released to the said lords and gentlemen, and all other being in their aid at the same deed, and to every of them, as much as to him thereof pertaineth, or to him and to his heirs may pertain, so that hereafter for whatsoever thing that is done by them upon the said punishments in resistance, they shall never be impeached nor grieved in body, goods, nor their heritages and possessions, by any way by our sovereign lord the King, his heirs or ministers, nor none other in time to come, but utterly shall be thereof quit for ever by this grant and statute without having thereof other special charter or pardon.

## CAP. VI.

*Manumissions, releases, and other bonds made in the last tumult by compulsion, shall be void. It shall be treason to begin a riot, rout, or rumour.*

**Manumissions.** **I**TEM, it is ordained, That all manner of manumissions, obligations, releases, and other bonds made by compulsion, duress, and menace, in the time of this last rumour and riot against the laws of the land, and good faith, shall be wholly annulled and holden for void. And they that have done to be made, or do yet with-hold such manumissions, obligations, releases, bonds, and other deeds, so made by duress, shall be sent before the King and his council, thereof to answer there of their deed, and further shall be constrained to make delivery and restitution of the said deeds to them that made the same against their good gree, with the copies of the same, if percase they have thereof made any before, another time to use or renew the effect of the same if they may. And likewise it is accorded, That all entries made in lands or tenements, and also all feoffments made in the time of the same rumour by compulsion and menace, or otherwise with force of people, against the law, shall be void, and holden for none. And the King straitly defendeth to all manner of people, upon pain of as much as they may forfeit against him in body and goods, that none from henceforth make nor begin any manner of riot and rumour, nor other like. And if any the same do, and that duly proved, it shall be done of him as of a traitor to the King and to his said realm.

**Duress.**

**Entries.**

**Riot and Rumour.**  
Repealed by  
1 Ed. 6. c. 12.  
Vide 1 Geo. 1.  
stat. 1. c. 5.

## CAP. VII.

*The penalty where any doth enter into lands where it is not lawful, or with force.*

The penalty where any doth enter into lands but where his entry is given by the law, and then with strong hand.  
1 Hawk. Pl. Cr. c. 64.

**A**ND also the King defendeth, That none from henceforth make any entry into any lands and tenements, but in case where entry is given by the law; and in such case not with strong hand, nor with multitude of people, but only in peaceable and easy man-

**E**T auxint le Roi defende que nul nully desore face entree en aucunes terres & tenementz sinoun en cas ou entree est done par la loy & en cell cas nemye a forte main ne a multitude des gentz einz tant seulement en paisible & aisee manere. Et si nully desore face a con-

contraire & ent soit convict  
duement soit puniz par empri-  
sonnement de son corps & dilloe-  
ques reint a la voluntee le Roi.

manner. (2) And if any man  
from henceforth do to the con-  
trary, and thereof be duly  
convict, he shall be punished  
by imprisonment of his body,  
and thereof ransomed at the  
King's will.

15 R. 2. c. 2.  
4 H. 5. c. 8.  
8 H. 6. c. 9.  
1 H. 7. c. 22.  
23 H. 8. c. 14.  
Explained  
31 Eliz. c. 11.  
21 Jac. 1. c. 15.

### C A P. VIII.

*A remedy for them whose writings were destroyed in the late  
insurrection.*

**I**TEM, touching the charters, releases, obligations, and other  
deeds and muniments, burnt, destroyed, or otherwise eloined  
in the same rumour, it is assented, That they which thereof feel  
them grieved, shall put their petitions distinctly made upon  
their matters specially before the King and his council, betwixt  
this and the nativity of Saint *John Baptist* next coming at the  
farthest, and there make sufficient proof of the said muniments  
so lost, and of the form and tenor of the same; and that  
done, such remedy shall thereof be provided for them at  
every man's complaint, as best shall seem in the case, saving the  
law.

A remedy for  
them whose  
writings were  
burned in the  
late insurrecti-  
on.

6 R. 2. c. 4.

### C A P. IX.

*Every person that is impeached in the exchequer may plead in  
his own discharge.*

**I**TEM pur ce que grevous  
plainte ad este souvent fait  
des officers de leschequier de ce  
que les heirs executours occu-  
pours des biens & terre ten-  
nantz de diverses persones qont  
este empeschez en dit eschequier  
des dettes accompts & dautres  
demandes & les queux com-  
bien qils se ont offertz illoeques  
a monstrier ou pleder pur leurs  
descharges de ceux empesche-  
mentz selonc la loy toutes voies  
ils nont mye este a ce resceuz  
devant ses heures sanz avoir  
expres comandement par brief  
ou lettre de grant ou prive seal  
a grant disaise meschief & de-  
lay des ditz empeschez & nul  
avantage au Roi Si est ordenez  
& assentuz que les barons del  
dit eschequier aient desore plein  
poair doier chescunuy responce  
de quelconque demande fait en  
mesme

**I**TEM, because that grievous  
complaint hath oftentimes been  
made of the officers of the exche-  
quer, for that the heirs, executors,  
occupiers of goods, and land te-  
nants of divers persons which have  
been impeached in the said exche-  
quer, of debts, accompts, and other  
demands, and which although they  
have offered them there to shew,  
or plead for their discharge of  
those impeachments according to  
the law, they have not been al-  
ways thereunto received hereto-  
fore, without having exprefs com-  
mandment by writ, or letter of  
the great or privy seal, to the great  
disquietness, mischief, and delay of  
the said persons impeached, and no  
advantage to the King; (2) it  
is ordained and assented, That  
the barons of the said exche-  
quer shall from henceforth  
have full power to hear every

Every person  
that is im-  
pleaded in the  
exchequer  
may plead in  
his own dis-  
charge.

R

answer

answer of every demand made in the same exchequer, so that every person that is impeached or impeachable of any cause by himself, or by any person, shall be from henceforth received in the same exchequer to plead, sue, and have his reasonable discharge in this behalf, without tarrying or suing any writ, or other commandment whatsoever.

4 Inf. 110.

mesme leschequier issint qe chescune persone qe y soit empeschez ou empescheable de quelconque cause par lui mesmes ou par autre persone soit desore resceuz en dit eschequier a pleder suer & avoir son discharge resonable en cell part sanz attendre ou suer brief lettre ou autre mandement quelconque.

### C A P. X.

*The covenants of those that shall serve the King in his wars or embassies shall be put in writing, and sent into the exchequer.*

**I**TEM, because that great mischiefs have happened in times past to divers persons, as well to lords of the realm, as other, which were retained or assigned to serve our lord the King by indentures or without indentures, in his wars and his messages, or in other manner, and for the same causes receive certain sums of money at the receipt of the said exchequer, or elsewhere by assignment, which sums have been put upon them in the rolls of the said exchequer, as money received by way of loan, and for that cause the same sums should run in demand upon them at the exchequer as a clear debt, although the said persons so retained, their heirs, executors, occupiers of their goods, or land tenants, after their death have demanded to be admitted to account of the sums received, which hath not been granted to them, but they have been constrained to pursue their warrant by the great or privy seal directed to the treasurer and barons there, whereby it was commanded to the treasurer and barons to account with them in this behalf; (2) which warrants ostentimes have been denied, because that the King's officers

**I**TEM pur ce qe grantz meschiefs ont escheuz devant ces heures a diverses personnes sibien a les seignurs du roialme come as autres qe furent retenuz ou assignez de servir a nostre seigneur le Roi par endentures ou sanz endentures en ses guerres les messageries ou en autre manere & par celles causes resceurent certains sommes de deniers a la rescite del dit eschequier ou ailleurs par assignement les quelles sommes aient este mises sur eux es rolles del dit eschequier come deniers resceuz par voie dapprest & par tant oelles sommes current en demande sur eux a leschequier come dette cler & combien qe les dites persones ensi retenuz leurs heirs executours occupiours des biens ou terre tenantz apres leur mort aient demandez pur estre resceuz dacompter de les sommes resceuz ne pur quant ce nad mye este a eux grantez einz ont este constreintz de poursuivre leur garant de grant ou prive seal direct as tresorer & barons illoeqes par quel fust commandez as tresorer & barons

rons dacompter avec eux en celle partie les queux garantz meintfoitz ont este deniez a cause qe les officers du Roi nouvellement creez par cas navoient conifiance de tielz retenuz faitz devant leurs temps & ascun foitz ont este grantez mais noun pas si pleinement come reson & le cas demandoient pur tant qe cel garant voloit qe l'acompte ne deust estre receuz forsqs seulement de la somme ensi receue d'aprest la ou greindre somme par cas lour fust due de reson a grant meschief & anientissement des ditz perfonnes est ordenez & assentuz qe de toutz gentz qi desore seront retenuz ou assignez de servir a nostre seigneur le Roi soient les covenances mises en escrit & envoiez en leschequier a y demorer de record issint qe a quele heure qe persone ensi retenue ses heirs executours occupiours des biens ou terre tenantz viegne ou veignent dacompter de ce en leschequier soient ils a ce receuz & aient due allowance en lour accompte selonc la conteneue de lour covenant. Et si par cas ascun repell ou contremandement soit fait de tiel retenue daucune persone apres qe ses covenances soient mises en escrit & envoiez al dit eschequier come dessus est dit soit mesme le repell semblablement mis en escrit & envoiez al eschequier avantdit issint qe par la veue de cell repell & des covenances devant illoques envoiez les barons del dit eschequier facent droit a la partie selonc ce qe la loy & reson demandent. Et si rienz leurs soit due par mesmes les accompts qe de ce par certification de mesme leschequier les tresorer

*cers newly made percase had no knowledge of such retaining made before their time; and sometime have been granted, but not so fully as reason and the case required: (3) and for as much as the same warrant would that accompt should not be received, but only of the sum so received by loan, whereas a greater sum percase was due to them of reason, to the great mischief and hinderance of the said persons; (4) it is ordained and assented, That of all people which from henceforth shall be retained or assigned to serve the King, their covenants shall be put in writing, and sent to the exchequer, there to remain of record; so that at what time that any person so retained, his heirs, or executors, occupiers of the goods, or land-tenants, come to accompt thereof at the exchequer, they shall be there to received, and have due allowance in their accompt, according to the content of their covenant. (5) If percase any repeal or countermand be made of such retinue of any person after that his covenants be put in writing, and sent to the said exchequer, as is aforesaid, the same repeal likewise shall be put in writing, and sent to the exchequer, so that by the sight of the same repeal, and of the covenants before there sent, the barons of the said exchequer shall do right to the party according as the law and reason demandeth. (6) And if any thing be due unto them by the same accompt, that thereof by certificate of the same exchequer, the treasurer and the chamberlains shall make payment or assignment to them without tarrying or suing other warrant or commandment of*

The covenants of those which shall be retained to serve the King in his wars or embassies shall be sent into the exchequer.

the great or privy seal in this behalf.

& chamberlains lour facent paiement ou assignement sanz attendre ou suer autre garant ou mandement du grant ou prive seal in celle partie.

## CAP. XI.

*The accompts in the exchequer shall be more speedily heard than they were wont.*

The accompts of the exchequer shall be more speedily heard than before they were.

**I**TEM, it is ordained and assented, That the accompts in the exchequer shall be more shortly heard, made, and ingrossed, than they were wont heretofore; saving always, that the parcels of the same accompts be made as fully as they were wont in times past, and that by ordinance to be made by the barons of the said exchequer, there to endure of record for ever.

**I**TEM est ordenez & assentuz qe les accomptes en leschequier soient plus briefment oiez faitz & engrossiez qils ne soloient pardevant salve toutes voies qe les parcelles de mesmes les accomptes soient faitz auxi pleinement come ils soloient estre faitz en temps passe & ce par ordenance affaire par les barons del dit eschequier a y durer de record pur tout temps avenir.

## CAP. XII.

*Two clerks shall be assigned to make parcels of accompts in the exchequer.*

Two clerks shall be assigned to make parcels of accompts in the exchequer.

**I**TEM, it is ordained and assented, That two clerks shall be assigned to make parcels of accompts in the same exchequer to them that will demand the same; and they shall be sworn that they shall commit no falshood in their office, and shall take for their labour of them to whom they serve, reasonably, according to the ordinance of the barons of the said exchequer.

**I**TEM est ordenez & assentuz qe deux cleres soient assignez pur faire parcelles dacomptes en mesme leschequier a ceux qe les veullent demander & soient ils jurez qils ne feront nulle fauxine en lour office & prendront pur lour travail de ceux as queux ils serveront resonablement selonc lordinance des barons del dit eschequier.

## CAP. XIII.

*Accompts of Nichil shall be put out of the exchequer. An accomptant discharged upon bis oath.*

Accompts of Nichil shall be put out of the exchequer.

**I**TEM, it is ordained and assented, That the accompts of *Nichil* in the exchequer shall be wholly put out; (2) or if any such accompts ought there to remain, the accomptants presently after their oath made in the said exchequer shall be

**I**TEM est ordenez & assentuz qe les accomptes de Nichil en eschequier soient de tout oustez ou si aucuns tielx accomptz y deivent demorer soient les accomptantz maintenant apres lour serement fait en le dit eschequier examinez par

par les barons illoeqes fils y purront ou doivent de rienz respondre au Roi en celle partie. Et si trovez soit par leur dit serement qe noun adonques par mesme leur serement soient ils deschargez dautre accompte prendre devant aucun auditour toutdys le droit le Roi salvez.

examined by the barons there, if they should or ought to answer the King of any thing in this behalf. (3) And if it be found by their said oath, that they ought not, then by the same their oath they shall be discharged to yield other account before any auditor, the King's right always saved.

4 Inf. 106.

#### C A P. XIV.

*The clerk of the pipe, &c. sworn for the entry of writs of the great and privy seal.*

**I**TEM est accordez & assentuz qe le clerck de pipe & les remembrancers del eschequier soient jurrez qe de terme en terme ils verront tant come le dit eschequier serra overt toutz les briefs de grant seal & lettres de prive seal qe ferront mandez al dit eschequier mesme le terme pour final descharge daucune persone du roialme daucun demande current al dit eschequier & qe chescun de eux a qi il appartient serra due execution du dit mandement. Et est auxint ordenez & assentuz qe les ditz deux remembrancers soient jurrez de leur part qe chescun terme de cy en avant ils ferront une cedula de toutes les personnes qi ferront deschargez en leur office par jugement ou en autre manere en mesme le terme daucuns demandes en dit eschequier contenant la manere de mesmes les descharges & de faire liverer celle cedula al dit clerck du pipe mesme le terme au fyn qe mesme le clerck de pipe face ent descharger les ditz parties en le grant rolle. Et auxint soit le dit clerck du pipe jurrez qe il de terme en terme demandera les ditz cedules & mesmes les cedules par lui issint resceuez il deschargera les dites parties en manere suifsdite.

**I**TEM, it is accorded and assented, That the clerk of the pipe and the remembrancers of the exchequer shall be sworn, that from term to term they shall see (whiles the said exchequer shall be open) all the writs of the great seal, or of the privy seal, which shall be sent to the said exchequer the same term, for the final discharge of any person of the realm of any demand in the said exchequer, and that every of them, to whom it pertaineth, shall make due execution of the said commandment. (2) And also it is ordained and assented, That the said two remembrancers shall be sworn of their part, that every term from henceforth they shall make a schedule of all the persons that shall be discharged in their offices by judgement, or in other manner in the same term, of any demands in the same exchequer, containing the manner of the same discharges, and to deliver the same schedule to the said clerk of the pipe the same term, to the intent that the same clerk of the pipe shall thereof discharge the said parties in the great roll. (3) Also the said clerk of the pipe shall be sworn, that he from term to

The clerk of the pipe and the two remembrancers shall be sworn for the entry of writs of the great or privy seal, &c.



term shall require the same schedules, and the same schedules by him so received, he shall discharge the said parties in the manner aforesaid. (4)

And in the same manner, the said clerk of the pipe for his part shall cause to be certified in writing to the said remembrancers of all such discharges

which shall be made in his office, to the intent that a man discharged in one place, be discharged in all other places of the said exchequer.

fuisdite. Et en mesme la manere face le clerc du pipe pur sa partie certifier en escrit as ditz remembrancers de touz tielx descharges qe ferront faitz en son office au syn qe homme deschargez en une place soit deschargez en toutes autres places del dit eschequir.

### CAP. XV.

*Upon a judgement of livery, the remembrancer shall cause the suit to cease.*

**I**TEM, though that many times heretofore divers persons have had livery of their lands and tenements out of the King's hands, by judgement given for them in the King's bench, or elsewhere, and of the same judgements after have procured to send the tenor of the records and proceses thereof made by writ of Mittimus into the said exchequer, to the intent for to discharge them of the accompts demanded of them upon the same tenements; nevertheless the officers of the same exchequer would not in times past discharge the said persons thereof, before that the same records and proceses were word by word newly entered in the exchequer, and thereupon new process made, and new judgements there another time given, to the great damage and delay of the parties, without profit to the King :

(2) it is ordained and assented, That from henceforth after that such record, or the tenor of the same, shall come into the said exchequer by the King's commandment (as it is said) that the remembrancer, in whose office such accompts shall be demanded, shall presently cause the suit to cease in that

**I**TEM coment qe plusieurs foitz devant ces heures diverses persones ont euez liverye de leurs terres & tenementz hors de mains le Roi par judgement renduz pur eux en bank le Roi ou aillours & dyceux juggementz aient enapres fait procurer denvoier les tenures des recordz & proces ent faitz par brief de Mittimus en leschequir avantdit al entente pur eux descharger des accomptes de eux demandez sur mesmes les tenementz nientmeins les officers de mesme leschequier nont mye volu devant ceste heure ent faire descharger les dites persones devant qe mesmes les recordz & proces fussent de parole en parole nouvellement entrez en leschequer & sur ce novel proces fait & novel juggement illoques autrefoitz renduz a grant damage & delay des parties sanz profit au Roi est ordeinez & assentuz qe desore apres qe tiel record ovez le tenure dycelle serra venuz en dit eschequer par mandement le Roi come dit est qe le remembrancer en qi office tiels accomptes seront demandez maintenant face cesser la suite

How the remembrancer shall use a judgement of livery coming out of any court into the exchequer.

suite en celle partie par paroles a entrees sur l'endorsement del brief vouchant le tenure del record del dit juggedment sanz novel juggedment ou proces faic en celle partie puis avant.

that behalf, by words to be entered upon the indorsement of the writ, vouching the tenor of the record of the said judgement, without new judgement, or making of proces further in this behalf.

Altered by  
33 H. 8. c. 22.  
12 Car. 2. c. 24.

### CAP. XVI.

*The fees of the exchequer clerks for making commissions, or records of Nisi prius.*

**E**T auxi est assentuz & le Roi defende estreitement que desore ne soit rienz donez pur une commission affaire en le dit eschequer pur le fee de clerck qi le ferra oultre deux soldz tantseulement ne pur le record de Nisi prius avec la brief si n'oune que deux soldz seulement come devant ces heures y soloiet estre fait & usez.

**I**TEM, it is assented, and the King straitly defendeth, That from henceforth nothing shall be given for making of a commission in the said exchequer for the fee of the clerk which shall make the same, above two shillings only; (2) nor for the record of *Nisi prius* with the writ, but two shillings only, as afore this time was wont to be done and used.

The clerk's fee for making of a commission or record of *Nisi prius* in the exchequer.

Et pur ce vous mandons que les ditz establissemens & ordinnances facez duement crier & publier es citees burghs villes feires marchees & autres lieux notables deinz vostre baillie deinz franchises & dehors & duement les gardir & faire tenir selonc le tenour & forme dicelles. Don par tesmoignance de nostre grant seal a Westm' le xvii. jour de May lan de nostre regne quint.

*Consimilia mandata dirigitur singulis vicecomitibus per Angliam.*

Ordinationes et concordie facte in parlamento tento apud Westm' in crastino Sancti Johannis ante portam Latinam Anno quinto.

*Other statutes made at Westminster, Anno 5 RICH. II. stat. 2. and Anno Dom. 1382.*

**R**EX vicecomiti Cornubie salutem. Cum de communi assensu nostro ac Procerum Magnatum & Communitatum regni nostri Anglie nobis in ultimo parlamento nostro assistentium pro securiori regimine & melioratione regni nostri predicti & mercandis eisdem quedam concordie sive ordinationes facte fuissent inter alia sub hac forma :

**P**UR commune profit du roialme d'Engleterre aient este faitz par nostre seigneur le Roy

**F**OR the common profit of the realm of England, divers ordinnances and establishments have been

*been made by our lord the King, the prelates, lords and commons of the said realm, being in this present parliament bolden at Westminster the Tuesday next after the feast of St. John Portlatine, the fifth year of the reign of our lord King RICHARD the Second, in the form following.*

Roy les prelatz seignurs & communes du dit roialme esteantz en cest parlement tenuz a Westm' lendemain de seint Johan Portlatyn lan du regne nostre seigneur le Roi RICHARD quint certaines ordinances & establissementz en la forme que sensuit.

## CAP. I.

*Merchants strangers may come unto, continue, and depart forib of the realm.*

Merchants strangers may come into this realm, continue here, and depart at their pleasure.

**F**IRST it is accorded and assented in the parliament, That all manner of merchants strangers, of whatsoever nation or country they be, being of the amity of the King and of his realm, shall be welcome, and freely may come within the realm of *England*, and elsewhere within the King's power, as well within franchise as without, and there to be conversant, to merchandise and tarry as long as them liketh, as those whom our said lord the King by the tenour hereof taketh into his protection and safeguard, with their goods, merchandises, and all manner familiars. (2) And for so much the King willeth and comandeth, That they and every of them be well, friendly, and merchant-like intreated and demeaned in all parts within his said realm and power, with their merchandises and all manner goods, and suffered to go and come, and into their proper country peaceably to return, without disturbance or impeachment of any.

**P**Rimerement est assentuz & accordez en parlement que toutes maneres destranges marchantz de quelconque nation ou pais qils soient esteantz del amistee nostre seigneur le Roi & de son roialme soient bien venuz & franchement venir purront deinz le roialme d'Engleterre & aillours en le poair nostre dit seigneur sibien deinz franchise come dehors & illoques converfer merchander & demorer si longement come bon lour semblera come ceux les queux trestouz nostre seigneur le Roi par le tenour dicestes prent en sa protection & salve garde avec lour biens merchandises & familiars quelconques. Et par tant voet le Roi & comande qils & chescun de eux soit & soient bien amiablement & mercheablement tretez & demesnez toutes partz deinz les ditz roialme & poair avec leurs merchandises & biens quelconques & soeffertz daler venir & en leurs propres pais peisiblement retourner sanz destourbanche ou empeschement de nully.

9 H. 3. stat. 1.  
c. 30.  
9 Ed. 3. stat. 1.  
c. 1.  
25 Ed. 3. stat. 4.  
c. 2.

## CAP. II.

*Woolfels and leather may be carried into any country by aliens or denizens, saving into France, until Michaelmas come twelvemonth. Certain money shall be abated to them that will pay their custom beforehand.*

**I**TEM, it is assented and accorded in the parliament, That the passage of wools, leather, and woolfels be open to all manner of merchants and other, as well foreigners as denizens, that will buy the same and readily pay in hand for the same the customs, subsidies and devoirs of *Calais* due from henceforth to the feast of *St. Michael* next come twelvemonth, in such manner, that in the mean time they and none other may ship and cocket the same in ports within the realm accustomed, and from thence to carry and bring them towards what parts they will choose beyond the sea, without impediment or impeachment, *except to the realm of France*. And moreover of the assent aforesaid our sovereign lord the King will and granteth to all those merchants and other, which betwixt this and the xv. of *St. Martin* next ensuing, shall pay before in hand the subsidies, customs, and devoirs for the wools, leather, and woolfels, which they will pass and do to be carried beyond the sea, betwixt the first day of *September* next coming, and the said feast of *St. Michael* next come twelvemonth, his pardon and release of half a mark of every sack of wool, half a mark of every CCXL. woolfels, and also of their leather after the rate, upon their said payments so to be made beforehand (as it is said) and therewithal they and every of them shall have freely the passage of the same their wools, leather, and woolfels at large where and when they will, as above is said, before the feast of *St. Michael* aforesaid without any manner impeachment or impediment. But the King's mind is, That they, which will not pay the subsidies of their wools, leather, and woolfels before the said fifteenth they shall pay wholly the customs, subsidies, and devoirs of their wools, leather, and woolfels to be passed beyond the sea, without having remission of the said half mark by any way. And the King promiseth, and it is accorded and assented by all the estates of the parliament, that against this grant and ordinance, nor against those persons, which so shall pay beforehand, and before the said fifteenth, their subsidies, customs and devoirs, and shall have therefore the said passage of their wools, leather, and woolfels, and release of the said half mark (as is said) no repeal, revocation, countermandment, impediment, nor other thing shall be made by our sovereign lord the King, his council, his ministers, nor none other, which may turn or sound in disturbance of their covenant or passage aforesaid by any way of the world. And the King will and granteth, at the request of his commons, that the money coming of the subsidy of the said wools, leather, and woolfels granted at the last parliament, be wholly applied upon the defence of the

Ex edit. Raftal.  
Wools.  
Leather.  
Woolfels.

Merchants  
customs lessened.

realm of *England*, and the keeping and governance of his towns and fortresses beyond the sea, after the good advice of the lords of the realm, and other wise men of the King's council.

## C A P. III.

*A subsidy granted to the King, so that the money that cometh thereby may be wholly employed upon the keeping of the sea.*

Mariners subsidy.

**I**TEM, upon the profer which had been made in the parliament by the mariners of the west, to make an army upon the sea, to endure from this time till the feast of St. *Michael* next coming in the ii. years, the lords and commons being in this parliament have granted to the King a subsidy of ii. s. to take of every tun of wine, and of a less vessel after the rate, to be brought within the realm of *England*, and also vi. d. of the li. to take and receive of all manner of other merchandises to be brought out and coming within the realm aforesaid, as well (that is to say) of all manner of woollen clothes, as of any other merchandises, *except wools, leather, and woofsels*, over the customs and subsidies thereof due before this grant from the xxi. day of *May* this present year, till the feast of St. *Michael* next coming, and from the same feast by ii. whole years next ensuing. *So always that the money thereof coming be wholly applied upon the safe keeping of the sea, and no part elsewhere.* And at the request of the commons, the King will that Sir *John Philpot*, knt. be receiver and keeper of the money rising of the said subsidy, from the town of *Southampton* towards the north, and that *John Polimond* and *Thomas Beaupenny* be receivers and keepers of the said subsidy in the town of *Southampton*, and from thence towards the west by the King's letters patents thereof to be made to the said persons in due form. And also certain sufficient persons shall be assigned by the King to be comptrollers to the said collectors. And the people being in the said army, shall have wholly all their gains and profits, to be departed betwixt them during the said army aforesaid: and the admirals and other of the said army, shall be assured to save the King's friends and allies without damage to be done to them or to any of them by any way, and if they do, and that be duly proved, they shall bind them upon a grievous pain thereof duly to make amerids.

Army.

## C A P. IV.

*Every one to whom it belongeth, shall upon summons come to the parliament.*

4 Inft. 10. 43. Every person to whom it doth belong, shall upon summons come to the parliament.

**I**TEM, the King doth will and command, and it is assented in the parliament, by the prelates, lords, and commons, That all and singular persons and commonalties, which from henceforth shall have the summons of the parliament

**I**TEM voet le Roi & commande & est assentuz en parlement par lez prelatz seignurs et communes qe toutes singuleres personnes & communitates quaveront desore la somonce de parlement veignent de cy en avant as parlements par

par manere come ils sont tenuz de faire & a este acustumez deinz le roialme d'Engleterre dauncienete. Et quelconque persone de mesme le roialme qavera desore la dite somonce soit il ercevesqe evesqe abbe priour duc cont baron baneret chivaler de contee citezein de citee burgeis de burgh ou autre singulere persone ou comminaltee quelconque soi absente ou ne veigne mye a la dite somonce fil ne se purra resonablement & honestement ent excuser devers le Roi nostre seignur soit amerchiez & autrement puniz selonc ce que auncienement a este usez deinz le roialme avantdit en dit cas. Et si ascun viscont du roialme soit desore necligent en feissant ses retournes des brieves du parlement ou qil face entrelesser hors des ditz retournes aucuns citees ou burghs queux sont tenuz & dauncien temps soloient venir a parlement soit puniz en manere que estoit acustumez desre fait en le cas dauncienete.

liament, shall come from henceforth to the parliaments in the manner as they are bound to do, and have been accustomed within the realm of *England* of old times. (2) And if any person of the same realm, which from henceforth shall have the said summons (be he archbishop, bishop, abbot, prior, duke, earl, baron, banneret, knight of the shire, citizen of city, burgeses of borough, or other singular person or commonalty) do absent himself, and come not at the said summons (except he may reasonably and honestly excuse him to our lord the King) he shall be amerced, and otherwise punished, according as of old times hath been used to be done within the said realm in the said case. (3) And if any

The punish-  
ment of a the-  
riff omitting  
his returns.

sheriff of the realm be from henceforth negligent in making his returns of writs of the parliament; or that he leave out of the said returns any cities or boroughs, which be bound, and of old time were wont to come to the par-

liament, he shall be amerced, or otherwise punished in the manner as was accustomed to be done in the said case in times past.

C A P. V.

*Sheriffs commissioned to approbend preachers of heresy, and their abettors. The enormities ensuing the preaching of heresies.*

**I**TEM, forasmuch as it is openly known, that there be divers evil persons within the realm, going from county to county, and from town to town in certain habits under dissimulation of great holiness, and without the licence of the ordinaries of the places or other sufficient authority, preaching daily, not only in churches and churchyards, but also in markets, fairs, and other open places, where a great congregation of people is, divers sermons containing heresies and notorious errors, to the great emblemishing of the christian faith, and destruction of the laws, and of the estate of holy church, to the great peril of the souls of the people, and of all the realm of England, as more plainly is found and sufficiently proved before the reverend father in God, the archbishop of Canterbury,

Not a statute,  
the commons  
never assent-  
ing thereto.  
Vide  
1 Hales hist.  
Pl. Cr. 394, 395.

and

and the bishops and other prelates masters of divinity, and doctors of canon and of civil law, and a great part of the clergy of the said realm specially assembled for this cause: which persons do also preach divers matters of slander, to engender discord and dissention betwixt diverse states of the said realm as well spiritual as temporal, in exciting of the people, to the great peril of all the realm: which preachers cited or summoned before the ordinaries of the places, there to answer of that whereof they be impeached, will not obey to their summons and commandments, nor care not for their monitions nor censures of the holy church, but expressly despise them: and moreover by their subtil and ingenious words do draw the people to hear their sermons, and do maintain them in their errors by strong hand and by great routs: it is ordained and assented in this present parliament, That the King's commissions be made and directed to the sheriffs and other ministers of our sovereign lord the King, or other sufficient persons learned, and according to the certifications of the prelates thereof to be made in the chancery from time to time, to arrest all such preachers, and also their fautors, maintainers, and abettors, and to hold them in arrest and strong prison, till they will justify them according to the law and reason of holy church. And the King will and commandeth, That the chancellor make such commissions at all times, that he by the prelates or any of them shall be certified and thereof required, as is aforesaid.

Preachers.

Chancellor.  
Commission.  
Rep. 1 Ed. 6.  
c. 12.  
1 Eliz. c. 1.

**N**OS volentes dictas concordias five ordinationes in omnibus & singulis suis articulis inviolabiliter observari tibi precipimus quod predictas concordias five ordinationes in locis infra ballivam tuam ubi melius expedire videris tam infra libertates quam extra publice proclamari & teneri facias juxta formam prenotatam.

T. R. apud Westm' xxvi. die Maii.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam.

Statutes made at *Westminster Anno 6 RICH. II.*  
stat. 1. and *Anno Dom. 1382.*

REX vicecomiti Kancie salutem. Scias nos quedam statuta ordinationes & remissiones in ultimo parlamente nostro apud Westm' tento pro communi utilitate regni nostri Anglie fieri fecisse in hec verba:

**T**O the laud and honour of Almighty God, and of our holy mother the church, and to the commodity and profit of the realm of England, and of the commonalty of the same, our lord RICHARD, by the grace of God King of England and of France, and lord of Ireland, by the assent of the prelates, lords, and commons

**A**D laudem & honorem omnipotentis Dei & sancte matris ecclesie commodumque regni Anglie & utilitatem reipublice dominus Ricardus Dei gratia Rex Anglie & Francie & dominus Hibernie de assensu prelatorum ducum comitum baronum & communitatum dicti regni Anglie

Anglie in parlamento suo apud Westm' die lune in octabis sancti Michaelis anno regni sui Anglie sexto convocato statuta quedam ordinationes remissiones & pardonationes fieri fecit & stabiliri in forma subsequenti.

*mons of the said realm of England, in his parliament holden at Westminster the Monday in the Utas of St Michael, in the sixth year of his reign, hath caused to be made and stablished certain statutes, ordinances, remissions and pardons in the form following:*

## CAP. I.

*A confirmation of the liberties of the church, and of all statutes not repealed.*

**I**N primis ordinatum est & concordatum quod sancta mater ecclesia Anglicana habeat omnes libertates suas integras & illesas ac eisdem plene gaudeat & utatur & quod Magna Carta & Carta de Foresta statutaque facta de provisoribus pro hospitio domini Regis & aliorum ac omnia alia statuta & ordinationes ante hec tempora facta & nondum revocata in omnibus suis articulis firmiter observentur & executioni debite juxta effectum eorundem demandentur.

**F**IRST, it is ordained and accorded, That our holy mother the church of *England* have all her liberties whole and unhurt, and the same fully enjoy and use: (2) and that the Great Charter and the Charter of the Forest, and the statute of purveyors for the King's house, and for others, and all statutes and ordinances before this time made, and not yet repealed, be firmly observed in all their articles, and put in due execution according to the effect of the same.

A confirmation of the liberties of the church and of all statutes not repealed.

## CAP. II.

*Writs of debt, accompt, &c. shall be commenced in the counties where the contracts were made.*

**I**TEM ut brevia de debito & computo aliisque hujusmodi actionibus quecumque de cetero capiantur in com' & dirigantur vicecomitibus com' ubi contractus actionum eorundem emerferint ordinatum est & concordatum quod de cetero in placitis super brevibus illis narratum fuerit contractum inde fore factum in alio comitatu quam in brevi originali continetur quod tunc incontinenti breve illud penitus cassetur.

**I**TEM, to the intent that writs of debt and accompt, and all other such actions, be from henceforth taken in their counties, and directed to the sheriffs of the counties where the contracts of the same actions did rise; (2) it is ordained and accorded, That if from henceforth in pleas upon the same writs it shall be declared, That the contract thereof was made in another county than is contained in the original writ, that then incontinently the same writ shall be utterly abated.

Actions of debt, &c. shall be commenced in the counties where the contracts were made.

Raft. 178.



## CAP. III.

*In which court writs of nuisance called Vicountiels, shall be pursued.*

In what courts writs of nuisance called Vicountiels shall be pursued.

**I**TEM, it is accorded and ordained, That all writs of nuisances commonly called *Vicountiels*, shall be from henceforth made at the election of the plaintiff, in the nature of old times used, or else in the nature of assises determinable before the King's justices of the one bench or the other, or before the justices of assise to be taken in the county of the place assigned or to be assigned.

13 Ed. 1. stat. 1. c. 24.

**I**TEM ordinatum est & concordatum quod omnia brevia de nocumentis Vicecomitalia vulgariter nuncupata fiant de cetero ad electionem querentis in natura antiquitus usitata vel etiam in natura assisarum terminabilium coram justitiarum domini regis de uno banco vel altero seu justitiar' assisarum in comitat' loci capiend' assignat' & assignand'.

## CAP. IV.

*Deeds enrolled that were destroyed in the late insurrection, exemplified, shall be of force.*

Deeds that were enrolled and late imbezzled by rebels in an insurrection being exemplified shall be of the same force as the deeds.

**I**TEM, it is accorded, That all inrollments of deeds, and other muniments in the rolls of the chancery, of either bench and the exchequer of our lord the King before this time enrolled, and after by traitors to the King and his realm, in the insurrection late made within the same realm seditiously removed, torn, and rent, or otherwise imbezzled, shall be in due form exemplified under the King's great seal without fee of the seal thereof to be paid, and that the same exemplifications so had, shall be of the same effect and strength in all things, as the same deeds and muniments should have been, if they were had whole and unhurt.

5 R. 2. stat. 1. c. 8.

## CAP. V.

*Justices of assise, &c. shall hold their sessions in principal towns.*

Justices of assise and gaol-delivery, shall hold their sessions in principal towns.

**I**TEM, it is ordained, and accorded, That the justices assigned and to be assigned to take assises and deliver the gaols shall from henceforth hold their sessions in the principal and chief towns of every of the counties where the shire courts of the same counties be holden, and hereafter shall be holden.

14 H. 6. c. 3. Farther provided for 32 R. 2. c. 13.

**I**TEM ordinatum est & concordatum quod justitiarii ad assisas capiendas & gaolas deliberandas assignati & assignandi de cetero teneant sessiones suas in principalibus & capitalibus villis singulorum comitatum ubi videlicet comitatus eorundem comitatuum teneantur vel imposterum tenebuntur.

## CAP. VI.

*The penalties of the man and woman, where a woman ravished doth consent. In an appeal of rape the defendant shall not wage battle.*

**I**TEM contra malefactores & raptores dominarum & filiarum nobilium aliarumque mulierum violentius & plus solito hiis diebus quasi in omni parte regni predicti invalescentes ordinatum est & statutum quod ubicunque & quando-cunque hujusmodi domine filie & alie mulieres predictae de cetero rapiantur & post hujusmodi raptum hujusmodi raptoribus consenserint quod tam raptores sive rapientes quam rapte & eorum quilibet de cetero inhabilitentur & inhabiles sint ipso facto ad omnem hereditatem dotem sive conjunctum feoffamentum post mortem virorum & antecessorum suorum habend' vel vendicand'. Et quod statim in hoc casu proximus de sanguine eorundem rapientium & raptarum cui hereditas dos seu conjunctum feoffamentum descendere reverti remanere vel accidere deberet post mortem rapiantis vel rapte habeat titulum immediate statim scilicet post raptum intrandi super rapientem vel raptam ac eorum assignatos & terre tenentes in eisdem hereditate dote seu conjuncto feoffamento & illa hereditate tenend'. Et quod viri hujusmodi mulierum si viros habuerint vel si viros non habuerint superstites quod tunc patres vel alii de sanguine eorundem propinquiores de cetero habeant sectam prosequendi & sequi poterunt versus eisdem malefactores & raptores in hac parte & illos inde quamvis eodem mulieres post

**I**TEM, against the offenders and ravishers of ladies and the daughters of noblemen, and other women in every part of the said realm, in these days offending more violently, and much more than they were wont: (2) it is ordained and stablished, That wheresoever and whensoever such ladies, daughters, and other women aforesaid be ravished, and after such rape do consent to such ravishers, that as well the ravishers, as they that be ravished, and every of them, be from thenceforth disabled, and by the same deed be unable to have or challenge all inheritance, dower, or joint-feoffment after the death of their husbands and ancestors. (3) And that incontinently in this case the next of the blood of those ravishers, or of them that be ravished, to whom such inheritance, dower, or joint-feoffment ought to revert, remain, or fall after the death of the ravisher, or of her that is so ravished, shall have title immediately, that is to say, after the rape, to enter upon the ravisher, or her that is ravished, and their assigns, and land-tenants in the same inheritance, dower, or joint-feoffment, and the same to hold in state of inheritance. (4) And that the husbands of such women, if they have husbands, or if they have no husbands in life, that then the fathers, or other next of their blood, have from henceforth the suit to pursue, and may

The penalties both of the man and the woman where a woman ravished doth consent.

3 Co. 61.  
Plowd. 45.

sue against the same offenders and ravishers in this behalf, and to have them thereof convicted of life, and of member, although the same women after such rape do consent to the said ravishers. (5) And further it is accorded, That the defendant in this case shall not be received to wage battle, but that the truth of the matter be thereof tried by inquisition of the country; (6) saving always to our lord the King, and to other lords of the said realm, all their escheats of the said ravishers, if peradventure they be thereof convicted. hujusmodi raptum dictis raptoribus consenserint de vita & membro convincendi. Et ulterius concordatum est quod defendens in hoc casu ad duellum vadiandum minime recipiatur immo rei veritas inde per inquisitionem patrie trietur salvis semper domino Regi & ceteris dominis regni predicti de raptoribus illis si fortassis inde convincantur in omnibus escaetis suis.

In an appeal of rape the defendant shall not wage battle..

3 Ed. 1. c. 13.  
13 Ed. 1. stat. 1. c. 34.

## CAP. VII.

*At what prices sweet wines may be sold.*

ITEM, though it were late ordained in the parliament of the said King, holden at *Westminster* in the morrow of *Souls*, the fifth year of his reign, that no sweet wines in his said realm should be in any wise sold at retail after the feast of *St. John Baptist* last past, upon pain of forfeiture of the same: yet of the assent aforesaid it is ordained and accorded, That the same sweet wines may be sold in every place within the said realm, at the price that wines of *Gascoign* and *Rhine* shall happen to be sold, and not above, upon pain of forfeiture of the same, notwithstanding the said first ordinance.

Ex edit. Pult. At what prices sweet wines may be sold.

5 R. 2. stat. 1. c. 4.  
Rep. 7 R. 2. c. 11.  
28 H. 8. c. 14.

## CAP. VIII.

*Where no English ships are to be had, others may be used.*

ITEM, though late in the same parliament it was ordained, That none of the King's liege people, after the feast of *Easter* next coming, should in any wise ship any merchandises or goods to be carried out of the realm of *England*, or to be brought within the same realm, in any ships, upon pain of forfeiture of the said goods and merchandises, or the value of the same, except in ships of the King's ligeance: (2) yet of the assent aforesaid, it is ordained and granted, That the said ordinance only have place as long as ships of the said ligeance in the parts where the said merchants shall happen to dwell, be found able and sufficient: so that then they shall be bound to freight the same ships of the King's ligeance, with their merchandises under the pain aforesaid, before all other ships. (3) And otherwise it shall be lawful to the same merchants to hire other ships convenient, and there to freight them with their goods and merchandises, notwithstanding the said first statute.

5 R. 2. stat. 1. c. 3.  
Where no English ships are to be had, men may bring in or carry forth their merchandises in strangers ships.  
4 H. 7. c. 10.  
23 H. 8. c. 7.  
32 H. 8. c. 14.  
Rep. 1 Eliz. c. 13.  
5 Eliz. c. 5.  
25 Eliz. c. 15.

## CAP. IX.

*No victualler shall execute a judicial place in a city or town corporate.*

**I**TEM, it is ordained and enacted, That neither in the city of London, nor in other cities, boroughs, towns, or ports of the sea; through the realm; any victualler shall have, exercise, nor in no wise occupy any judicial office, but in such town where none other person sufficient may be found to have the same office: (2) In which case yet the same judge for the time that he shall continue in the said office, shall utterly omit and abstain himself and his from the exercise of victualling, upon pain of forfeiture of his victuals so sold.

No victualler shall exercise a judicial place in any city or town corporate.  
12 Ed. 2. stat. 1. c. 6.  
Rep. 7 R. 2. c. 11.  
1 H. 8. c. 8.

## CAP. X.

*Aliens being in amity with the King, may bring in victuals, and sell them.*

**I**TEM ordinatum est concordatum quod quicumque forinseci & alienegene de amicitia Regis & regni existentes venientesque infra dictam civitatem London' & alias civitates burgos & villas infra regnum predictum tam infra libertates quam extra cum piscibus & aliis victualibus quibuscunque ibidem morando & ad propria redeundo sint de cetero sub salva garda & speciali protectione domini Regis predicti & ibidem liceat eis & eorum cuilibet ac vigore presentium de cetero poterunt pisces & victualia predicta absque impedimento & contradictione cujuscunque scindere per pecias talliare ac in parte vel in toto & ad retalliam sive in grosso prout sibi melius placuerit vendere atque commodum suum inde facere quibuscunque statutis cartis ordinationibus privilegiis seu consuetudinibus factis vel habitis in contrarium non obstantibus.

**I**TEM, it is ordained and accorded, That all manner of foreigners and aliens being of the amity of the King, and of his realm, and coming within the said city of London, and other cities, boroughs, and towns within the said realm, as well within liberties as without, with fish and all manner of other victuals, there tarrying and going again to their own countries, shall from henceforth be under the safeguard and the special protection of our said lord the King; (2) and there it shall be lawful to them and every of them, and by force of these presents they may from henceforth cut their fishes and victuals aforesaid, without impeachment or denying of any man, in pieces, and in part, or in all, at retail, or in gross, as to them best shall seem, to sell and make their profit; any charters, statutes, ordinances, privileges, or customs made or had to the contrary notwithstanding.

7 R. 2. c. 11.  
14 H. 6. c. 6.  
Aliens being in amity with the King and the realm may bring in victuals and sell them in gross or at retail.

## CAP. XI.

*Hosts in cities, towns, &c. on the sea-coasts, shall not sell fish or other victuals. Fishmongers of London may not buy fresh fish to sell again, except eels, &c.*

Ex Edit. Raff.  
London.  
Hosts.

**I**TEM, it is ordained, That all manner of hosts, as well in the city of London, and the town of great Yarmouth, Scarborough, Winchelsea and Rye, as also in certain other towns and places upon the coast of the sea and elsewhere, through all the said realm, as well within liberties as without, shall from henceforth utterly cease and be removed from their noyance and wicked deeds and forestallings. And in especially they be inhibited by our sovereign lord the King, that they nor none of them (upon the pain that belongeth) shall any further intromit to embrace herring or any fish or other victuals, under the colour of any custom, ordinance, privilege, or charter before made or had to the contrary (which by tenour of these presents be utterly repealed) or privily or apertly do or procure to be done any impediment to any fishers or victuallers, denizens or aliens, being of the King's amity, whereby they or any of them be compelled to sell their fish or other victuals, but where and when, and to any person whosoever they will within the said realm at their pleasure. And moreover, it is specially inhibited to all and singular the said hosts, that none of them, upon the pain aforesaid, intromit from henceforth of buying, selling, or conventing any manner sea-fish fresh, to the use of any fishmonger, or other citizens of the said city of London. And likewise it is inhibited to all fishmongers and other citizens of the same city of London, that none of them (upon the same pain) far from the same city, nor near the same, from henceforth buy any sea-fish fresh, nor of the fresh water, to sell again in the same city, *except eels, fresh lukes and pykes, which shall be and remain in common, as well to denizens as foreigners, to buy or sell, so that nevertheless the denizens shall in no wise let the foreigners within the same city, to sell such fish, as often as they shall bring or cause to be brought the same fishes to the said city.*

Rep. 7 R. 2.  
c. 11.

## CAP. XII.

*All chief officers of towns corporate shall be sworn to observe the aforesaid ordinance touching fishmongers.*

Mayor of  
London.  
Oath.  
Victuallers.

**I**TEM, it is ordained, That every mayor of London for the time being, especially amongst other things, shall be charged in his oath, to be given to him at the King's exchequer, that he shall hold and do to be holden and kept the ordinance of fishmongers and victuals (as is aforesaid) made within his bailiwick, and the same (all favour set apart) do from time to time to be put in due execution. And likewise the mayors and bailiffs, and all other governors of cities, boroughs and towns, and of such victuallers in every place through the said realm within liberties and without, in every of their oaths upon their

new creation to be given in their offices, shall from henceforth be charged in especial, that they shall do such ordinance of victuallers to be holden and firmly kept in their bailiwicks, as much as to them and every of them pertaineth. Rep. 7 R. 2. c. 11.

## C A P. XIII.

*The King's pardon to his subjects after the late insurrection, with exceptions.*

**I**TEM, at the supplication and instance of the commons of the said realm, the same our sovereign lord the King of his special grace, and of the assent aforesaid, and to the intent that the said commonalty from henceforth may the more fervently abide in the love, faith and obedience of the same our sovereign lord the King and of his heirs, and peaceably bear themselves in all parts through the said realm, hath pardoned and remitted to all and singular his liege people and subjects, of what estate, degree or condition they be: except all those whose names another time in the parliament of this king, the v. and vi. year of his reign, were delivered by the same our sovereign lord to be excepted from all grace, as principal beginners, abettors, and procurers of the insurrection late traiterously made within this realm, whereof they be arraigned, and also other three persons citizens of *London*, which now in the parliament be in especial arraigned for that (that is to say) that one of the same citizens did first and principally lett *William Watworth*, late mayor of *London*, and certain other the King's faithful people to shut the gates of the said city against the commonalties of *Kent* and *Essex*, then traiterously assembled in the said insurrection, that they should have none entry into the said city, and to defend the same city from the said traitors. And the other two of the said three citizens of *London* were arraigned, of that that they should have been the first and chief counsellors of the same traitors, that they should come and enter the said city, and leaders of the same traitors within the said city: and all other fully being in the same case of the three citizens, or any of them. And also all and singular persons of the town of *S. Edmondsbury* likewise excepted, the suit of his peace, and as much as to him pertaineth or may pertain for treasons and felonies in the said insurrections, betwixt the first day of *May*, the fourth year of his reign, and the feast of the nativity of Saint *John the Baptist* then next following, in any manner of wise done or committed, whereof they were indicted, arraigned, or appealed, and also outlawries, if any in them, or any of them were by these occasions promulgated, and hath granted, and by these presents doth grant to them and every of them, by the tenor of these presents, his firm peace: so nevertheless, that they stand right in the King's court, if any against them, or any of them will speak of the premisses or of any of them. Also the same our sovereign lord the King hath pardoned and remised to the commons of his said realm, and to every singular person of the same realm (except before excepted) as much as to him pertaineth or

may pertain, for all trespasses in any manner of wise done or committed in the same realm, before the xxiiii. day of *October* this present year, except all trespasses by certain officers of the King, and of other lords and great men of the said realm, and also by certain maintainers of quarrels, and all jurors, and also especially except such trespasses done before the said xxiiij. day of *October*, in any wise concerning lands or tenements. And by the same our sovereign lord the King it is ordained, and graciously granted, That the said grace, remissions, and pardons shall be available to every of the King's liege people, except before excepted, as though every of them had or should obtain thereof the King's special charter. And therefore we command, &c.

*Consimilia mandata diriguntur singulis vicecomitibus per Angliam sub eadem data.*

Other statutes made at *Westminster*, Anno 6 RICH.  
II. stat. 2. and Anno Dom. 1383.

*Nova statuta.*

**R**EX vicecomitibus London & Middlesexie salutem. Sciatis quod in parlamento nostro apud Westm' ultimo tento quedam statuta pardonationes & ordinationes fieri fecimus in hec verba  
 " In parlamento tento apud Westm' die Lune in tertia septimana  
 " quadragesime anno regni Regis RICHARDI secundi post con-  
 " questum sexto dominus noster Rex de assensu prelatorum pro-  
 " cerum & magnatum sibi in eodem parlamento assistentium  
 " statuta quedam remissiones & ordinationes fieri fecit ad lau-  
 " dem & honorem omnipotentis Dei & pro quiete populi sui in  
 " forma subsequenti."

CAP. I.

*A more large pardon granted by the King to the offenders in the late insurrection, with few exceptions.*

**I**N primis ordinatum est & concessum quod ecclesia Anglicana omnibus libertatibus & liberis consuetudinibus suis plene gaudeat & utatur & quod Magna Carta & Carta de Foresta in omnibus suis articulis firmiter teneantur & executioni debite juxta effectum earundem demandentur.

CAP. II.

*Confirmation of the statutes of purveyors, &c.*

**I**TEM ordinatum est & concessum quod statuta de provisoribus victualium & cariagii pro hospicio domini Regis in omnibus suis articulis similiter custodiantur et executioni debite demandentur.

CAP. III.

*They which can bring witnesses that they came to the insurrection compelled, shall be acquitted of trespasses.*

**I**TEM, whereas our sovereign lord the King, in his parliament summoned at *Westminster*, the *Monday* in the *utis* of *Saint Michael*, the sixth year of his reign, of his especial grace did pardon

pardon and remit to all and singular his liege people and subjects, of whatsoever estate, degree, or condition they were (except certain citizens of *London* and other, of whom special mention is made in the said pardon) the suit of his peace, and whatsoever thing to the said King pertained or might pertain, for all manner of treasons and felonies done or committed in the time of the insurrection, then lately within the said realm of *England* stirred, whereof they were indicted, arraigned, or appealed, as in the same parliament is more fully contained: the said our sovereign lord the King at the instant supplication of the commons of his said realm, made in this present parliament, as a benign lord, having compassion of his subjects, clearly perceiving that in how much more graciously he would do by them, so much the more tranquillity should grow betwixt his said subjects, of the assent aforesaid, will and granteth, That the said grace, pardon, and remission in the said parliament, that is of **Pardon.** treasons and felonies done and committed in the said insurrection (as before is said) shall in all things extend to all and singular his liege people and subjects, as well of *London*, as of other before excepted from the said grace: such only except, whose names specially in the said parliament holden at *Westminster*, the morrow of All Souls, in the fifth year of his reign, were by the same King delivered to be excepted from the said grace. So that all and singular persons of the said realm, of what estate, degree or condition they be (none of them except, but the persons whose names be delivered in the said parliament the said v. year) shall take full benefit of the same grace, pardon, and remission, by force of these presents, as though every of them had or should obtain upon the same the King's special charter, and also as they should take if no exception thereof were made of them in the said first grace of pardon. Howbeit, the King's mind is not, but that the men of *S. Edmondsbury* shall be thereof holden to pursue specially for the King's charters of pardon, and further to find sufficient surety of their good bearing, as well against our sovereign lord the King and his people, as against the abbey of *Bury*, according to the ordinance thereof another time made in the King's council.

## CAP. IV.

*Actions of trespasss to be brought within a limited time.*

**I**TEM, for peace and tranquillity to be nourished and augmented throughout the same realm, and to cease strife and contentions: it is ordained and accorded, That if any person feel himself by occasion of any trespasss done in the same insurrection to be grieved or damnified, and for the same peradventure doth purpose to make his suit against the said trespasssers, that the same person begin the same suit (if he see it expedient for him) before the xv. of Saint *John* next coming, or else (the said xv. being past) he shall be excluded from the same suit, and occasion thereof for ever. **Insurrection.**



## CAP. V.

*The number of compurgators to prove the compulsion.*

Purgation.

**I**TEM, as to the quarrels or suits of trespasses done in the said insurrection, commenced before any of the King's justices, or before the said xv. to be commenced; it is likewise ordained and accorded, That if they, against whom such suits be taken, or before the said xv. shall be taken, come before judgement, and will thereof purge or acquit themselves before, by three or four good and convenient men, and not suspect, thereunto sworn before the justices, where the plea shall be thereof hanging, that is to say, that they came not willingly in the place presented for the cause of any evil, nor did no harm, but only by the compulsion of other, they shall be thereto received by the justices and judges aforesaid, and such purgation made by the said witnesses, then they shall depart thereof utterly quit, &c.

*Consimilia mandata diriguntur vicecomitibus subscriptis sub eodem data videlicet.*

*Vic' Norff' & Suff'  
Vic' Essex' & Hertf'  
Vic' Lincoln'  
Vic' Ebor'  
Vic' Lanc'  
Vic' Surr' & Suffex'  
Vic' Somers' & Dors'  
Vic' Cornub'*

*Vic' Devon'  
Vic' Cantubr' & Hunt'  
Vic' Bed' & Buck'  
Vic' Northamp'  
Vic' Glouc'  
Vic' Suthamp'  
Vic' Wiltes.*

Statutes made at *Westminster*, Anno 7 RICH. II.  
and *Anno Dom.* 1383.

**R**ICHARD by the grace of God, &c. to the sheriff of York, greeting. Know thou, that at our parliament holden at Westminster, the Monday next before the feast of All Saints last past, to the honour of God and of holy church and for the common profit of the realm, of the assent of the prelates, lords, and commons, being at the said parliament, we have caused to be made certain statutes and ordinances in the form following.

**L**E Roi a nostre viscount de Kent saluz. Sachez qà nostre parlement tenuz a Westm' le Lundy profchein devant le feste de toutz seintz darrein passe al honour de Dieu & de seinte esglise & pur commune profit du roialme de l'assent des prelatz seignurs & communes esteantz el dit parlement avons fait faire certains estatutz & ordinances en la fourme qe sensuit.

## CAP. I.

*A confirmation of the liberties of the church.*

**P**Rimerement est assentuz & accordez qe seinte eglise ait & enjoise toutes ses libertees & franchises auxi entierement come ele les ad euz & enjoiez en temps des nobles Rois d'Engleterre progenitours nostre seigneur le Roi qore est.

**F**irst, it is assented and accorded, That holy church have and enjoy all her liberties and franchises as wholly as she hath had and enjoyed them in the time of the King's noble progenitors,

A confirmation of the liberties of the church.

## CAP. II.

*A confirmation of all former statutes in force,*

**I**TEM qe la Grant Chartre & la Chartre de la Foreste & toutz les autres bones estatutz & ordinauces avant ces heures faitz & nient repellez soient tenuz & gardez & dument executz selonc leffect d'icelles.

**I**TEM, That the Great Charter and the Charter of the Forest, and all other good statutes and ordinauces made before this time, and not repealed, shall be holden and kept, and put in due execution according to the effect of the same,

A confirmation of all other statutes in force.

## CAP. III.

*A jury for a trespass within the forest shall give their verdict where they received their charge.*

**I**TEM a la grevouise plainte qest ore faite des ministres de la foreste est assentuz & accordez qe nulle manere de jurree soit desore artez par aucun ministre de la foreste nautre persone quelconqe de travailler de lieu en lieu hors des lieux ou leur charge lour est donez contre leur greo ne par malice ou par menace ou autre duretee constreinte de dire lour veredit de trespas fait en foreste autrement qe leur conscience ne leur ent vorra clerement enfourmer einz dient ils leurs vereditz sur leur charge es lieux ou celle charge lour est donez come dessus est dit.

**I**TEM, at the grievous complaint which is now made of the officers of the forest, it is assented and accorded, That no manner of jury shall be from henceforth compelled by any officer of the forest, or other person whatsoever, to travel from place to place out of the places where their charge is given to them, against their greo, (2) nor by malice, nor by menace, or other duresis, constrained to give their verdict of a trespass done in the forest, otherwise than their conscience will clearly inform them; (3) but they shall give their verdicts upon their charge, in the places where their charge is given them, as above is said.

A jury for a trespass within a forest shall give their verdict where they received their charge,

9 H. 3. stat. 20 c. 16.

## CAP. IV.

*None shall be taken or imprisoned by the officers of the forest without indictment.*

None shall be taken or imprisoned by the officers of the forest without indictment, &c.

**I**TEM, it is assented, That no man be taken nor imprisoned by any officer of the forest without due indictment, or being taken with the manner or trespassing in the forest; (2) nor shall be constrained to make any obligation or ransom to any officer of the forest in any sort against their agreement and the assise of the forest. (3) And if any do against this ordinance in any point, and thereof be attainted, he shall pay to the party damnified their double damages, and fine and ransom to the King for his offence.

Regist. 40.  
Ed. 3. Stat. 1.  
c. 8.

**E**T est assentuz qe null homme soit pris n'enprisonnez par ministre de foreste sanz due enditement ou mainoeuvre ou trespassant en la foreste ne constreint de faire obligation ou redemption a aucun ministre du foreste par queconque manere encontre lour gree & lassise de foreste. Et si aucun face encontre ceste ordinance en aucun point & de ce soit atteint paie as parties endamagez leurs doubles damages & syn & raunceon au Roi pur son malefait.

## CAP. V.

*Justices, &c. shall examine vagabonds, and bind them to their good abearing, or commit them to prison.*

Ex edit. Rast.  
Roberdismen.  
Drawlatches.

**I**TEM, it is ordained and assented, That the statutes made in the time of King EDWARD, grandfather to our sovereign lord the King that now is, of roberdismen and drawlatches be firmly holden and kept. And moreover it is ordained and assented, to refrain the malice of divers people, feitors and wandering from place to place, running in the country more abundantly than they were wont in times past, that from henceforth the justices of assises in their sessions, the justices of peace, and the sheriffs in every county shall have power to inquire of all such vagabonds and feitors and of their offences, and upon them to do that the law demandeth. And that as well the justices and sheriffs, as the mayors, bailiffs, constables, and other governors of towns and places where such feitors and vagabonds shall come, shall from henceforth have power to examine them diligently, and to compel them to find surety of their good bearing, by sufficient mainperners, of such as be distrainable, if any default be found in such feitors and vagabonds. And if they cannot find such surety, they shall be sent to the next gaol, there to abide till the coming of the justices assigned for the deliverance of the gaols, who in such case shall have power to do upon such feitors and vagabonds so imprisoned, that that thereof to them best shall seem by the law.

Rep. 39 Eliz.  
c. 4.  
31 Jac. 1. c. 28.

Justices.

Vagabonds.

## C A P. VI.

*The statute of Winchester confirmed, and every sheriff shall proclaim it.*

**I**TEM sur les grevous meschies & compleintz qe aveignent de jour en autre des roberies larcins homicides arfures des meisons & chivachees es routes & grandes compaignies chescune part du roialme ordeigne est & assentuz qe lestatut de Wyncestre dont le tenour estoit envoiez par nostre seigneur le Roi en lan profchein passez en chescun countee dEngleterre pur y estre proclamez soit tenuz & gardez en toutz pointz & mys en bone & hastive execution a la plaint & poursuite de chescun qi se sentera grevez encontre le tenour dicelle. Et au fyn qe homme ne se puira desore excuser par ignorance de mesme lestatut est auxint assentuz qe chescun viscont dEngleterre soit tenuz de cy en avant en propre persone de faire proclamation de mesme lestatut quatre foitz lan en chescun hundred de sa baillie & par ses baillifs en chescune ville marche sibiens deinz franchises come dehors.

**I**TEM, *for the grievous mischiefs and complaints that do daily happen of robberies, thefts, manslaughters, burning of houses, and ridings in routs and great companies in every part of the*

3 Ed. 1. c. 9.  
13 Ed. 1. stat. 2.  
c. 1.

*realm; (2) it is ordained and assented, That the statute of Winchester (the tenour whereof is sent by our lord the King this year last past into every county of England, to be proclaimed) be holden and kept in all points, and put in good and hasty execution, at the complaint and pursuit of every man that seeleth himself grievously against the tenour of the same. (3) And to the intent that no man shall excuse himself by ignorance of the same statute, it is also assented, That every sheriff of England shall be bound from henceforth in proper person to make proclamation of the same statute four times in a year in every hundred of his bailiwick, and by his bailiffs in every market-town, as well within liberties as without.*

The statute of Winchester confirmed, and every sheriff shall proclaim it four times in a year in every hundred or market.

## C A P. VII.

*In what case a Nisi prius shall be granted at the suit of any of the jurors.*

**I**TEM encontre le meschief qavient as diverses gentz du roialme queux sont empanellez & retournez devant les justices & barons de lechequir en quel cas par cause qe lenqueste nest mye pursue au fyn par ceux qi sont parties einz mys en delay dan en an les jurours y perdent grandement & ascuns plus qe la value de leur terre est par an

**I**TEM, *against the mischief that happeneth to divers people of the realm, which be impanelled and returned before the justices and barons of the exchequer; in which case, because that the inquest is not pursued to the end by those that be parties, but put in delay from year to year, the jurors do greatly lose, and some much more than the value of their land*

In what cases  
Nisi prius may  
be granted at  
the request of  
any of the ju-  
rors to avoid  
delay.

land is by year, to their great im-  
poverishing and hindrance: (2)  
it is accorded, That from  
henceforth in all manner of  
pleas where a *Nisi prius* is grant-  
able of office, after the great  
distress returned, and three  
times served before the justices  
against the jurors, and there-  
upon the parties demanded, if  
none of the said parties will  
pursue, or if the parties refuse  
to have a writ of *Nisi prius* in  
the case, then at the suit of any  
of the jurors that be present, a  
writ of *Nisi prius* shall be made  
and granted, and that as well  
in the exchequer as elsewhere,  
and thereupon the quarrel shall  
be set at an end without delay,  
according as the case requireth,  
and the law demandeth.

a lour tresgrant empoverisse-  
ment & destruction est accor-  
dez & assentuz qe desore en a-  
vant en toutes maneres des  
plees en queux brief de Nisi  
prius est grantable doffice apres  
le grande destresse trois foiz  
serviz & retournez devant les  
juges devers la juree & sur ce  
les parties demandez si nulle  
des dites parties veulle pursuire  
ou si les parties refusent devoir  
brief de Nisi prius en le cas a-  
donques a la poursuite daucun de  
ceux jurours qi soit present  
soit brief de Nisi prius fait &  
grauntez & ce auxibien en le-  
cheqir come aillours & sur ce  
la querele myse au syn sanz de-  
lay selonc ce qe le cas requiert  
& la ley demande.

### C A P. VIII.

*No subject's chator shall take any victuals or carriage without  
the owner's consent.*

Ex edit. Pult.  
No subject's  
chator shall  
take any vic-  
tuals, or car-  
riage without  
the consent of  
the owners,  
and present  
payment.

36 Ed. 3. c. 6.  
23 H. 6. c. 14.  
12 Car. 2. c. 24.

**I**TEM, it is accorded and assented, That the statutes of pur-  
veyors made before this time be firmly holden and kept, and  
put in good and due execution, joining to the same, That if  
the servants of other lords and ladies, which be not comprised  
in the said statutes do from henceforth take in any part within  
the realm, victuals or carriages to the use of their lords and  
ladies otherwise than they thereof may agree with the owners  
and sellers of the same by payment thereof to be made ready  
in hand, that the same servants shall incur the pain comprised in  
the said statutes of purveyors, and nevertheless the party endam-  
aged by such servants, if he will, shall have his suit at the  
common law.

### C A P. IX.

*A confirmation of all statutes made against all deceits in  
cloths, aulnegers, &c.*

A confirmati-  
on of all sta-  
tutes made  
against deceit  
in cloths to be  
sold, and a-  
gainst aulne-  
gers and col-  
lectors of the  
subsidy of  
cloths.

**I**TEM, for the mischief which daily happeneth upon the  
falshood and deceit which is found in clothes vendible, as  
well coloured, as ray cloths, against the assise thereof ordained  
before this time, (2) it is ordained and assented, That all the  
statutes thereof made in times past, with the statutes made of  
aulnegers and collectors of the subsidy of the said cloths, be  
holden, kept, and put in due and good execution. (3) Joining  
to the same, that he which from henceforth shall espy and prove  
default in any such cloth set to sale, against the assise thereof ord-  
ained.

dained of the said cloths, and against the form of the said statutes, shall have the third part of every such cloth defective, for his labour, by the delivery of the sheriffs, if they be present, or of the lords of the fairs and markets, and other places where such cloths shall be found defective, or of their stewards or bailiffs, or of the constables of the towns and places aforesaid, by indenture betwixt them duly to be made; which indentures shall be every year at the feast of S. Michael delivered into the exchequer, by them which so shall make the same delivery, to the intent there to charge the aulnegers and collectors aforesaid, by whom such defaults ought to have been searched, corrected and mended, and be not, but commonly maintained and concealed in all parts. (4) For which third part that pertaineth to the King as his forfeiture by force of the statutes made in times past, the aulnegers and collectors aforesaid, in every county and place where such cloths defective shall be found, for the pain against the said offences and concealment, shall make gree of their own money to our lord the King in his exchequer, of the value of the same third part. (5) So that as well of the same third part as of the remnant of the said cloth, the King shall be wholly answered at his said exchequer.

He that findeth defects in any cloths contrary to former statutes, shall have the third part for his labour.

Aulnegers and collectors of subsidies shall satisfy the King of that third part which the finder shall have.

5 & 6 Ed. 6. c. 6.  
11 W. 3. c. 20.

### C A P. X.

*Where an assise shall be taken of rents issuing forth of lands in divers counties.*

**I**TEM est ordeignez & assentuz qassise de Novele disseisine soit desore grante & fait de rent aderiere due des tenementz esteantz es diverses countees a tenir en la confyne des countees deinz queux les tenementz sont & sur ce lassise prise & trie par gentz des ditz countees en mesme la manere come est fait du commune de pasture esteantz en un countee & appendant as tenementz en autre countee & ce auxi avant des disseisines faites davant ceste heure come de disseisines unqore affaires & que briefs sur ceo a la pursuyte des pleintiffs soient desore faitz en la chauncellerie sanz nulle manere de contradiction en due forme.

**I**TEM, it is ordained and assented, That an assise of *Novel disseisin* shall be from henceforth granted and made of rent behind due of tenements being in divers counties, to be holden in the confine of the counties, within which the tenements be; (2) and thereupon the assise taken and tried by people of the said counties in the same manner as is done of a common of pasture being in one county, and appendant to tenements in another county; (3) and that as well of disseisins done in times past, as of disseisins yet to be done; (4) and that writs thereupon at the suit of the plaintiffs be made from henceforth in the chancery without any manner of contradiction, in a due form.

Assise of rents issuing out of lands in divers counties shall be taken in Confinio comitatus.

## C A P. XI.

*A repeal of the statutes 5 Rich. II. and 6 Rich. II. touching victuallers of London.*

**I**TEM, whereas in divers parliaments holden at Westminster, the fifth and sixth years of our said lord the King, divers ordinances and statutes of fishers of London and other victuallers were made, and also of vintners, and of the sale of wines, and thereupon the same ordinances and statutes, with the pains in them contained, were published and proclaimed throughout the realm, as in the said statutes and ordinances more plainly

A repeal of the  
stat. 5 R. 2. c. 4.  
and 6 R. 2. c.  
11 & 12. touch-  
ing fishers of  
London.

may appear: (2) nevertheless for certain causes, at the request of the commons of England, thereupon specially made, it is assented and agreed, That the same ordinances and statutes of fishers, vintners, and victuallers, made in the years aforesaid, shall be wholly annulled and repealed, and shall lose their effect and strength: (3) nevertheless, saving to the King all the forfeitures of wines for the time past, that to him pertaineth by virtue of the same ordinances and statutes: (4) provided always, That all the vintners and victuallers, as well fishers as other coming with their victuals to the city of London, shall be from henceforth under the governance and rule of the mayor and aldermen of the said city for the time being, as in time past it hath been used.

Fishers and  
victuallers of  
London shall  
be under the  
rule of the  
mayor and  
aldermen.

31 Ed. 3. stat. 1.  
c. 10.

**I**TEM combien que nadgairs en diverses parlementz tenuz a Westm' les ans du regne nostre dit seigneur le Roi quint & sisme furent faitz diverses ordinances & estatutz des personers de Londres & d'autres vitailleurs & auxint des vinetiers & la vente des vins & sur ce mesmes les ordinances & estatutz oveſque les peynes enyelles contenuz furent publiez & proclamiez parmy le roialme sicome en les ditz ordinances & estatutz pluis pleinement pura apparoir nientmeins per certains encheſons a la requeste des communes d'Angleterre sur ceo especialment faite est assentuz & accordez que mesmes les ofdinances & estatutz des personers vinetiers & vitailleurs faitz en les ans desuis ditz soient de tout anientiz & repellez & perdent lour force & vertue: Sauvez nientmeins a nostre seigneur le Roi toutz les forfaitures des vins a luy appartenantes par vertue de mesmes les ordinances & estatutz quant al temps passez Purveuz toutz soitz que toutz les vins & vitailleurs siben personers come autres ove leur vitailles venantz a la dite citee de Londres soient desore desouz le governaile & reule des meir & aldermannes de la citee avant dite pur le temps esteantz come aunciennement y soleient estre.

## C A P. XII.

*No alien shall purchase or occupy any benefice of the church within this realm.*

**I**TEM, whereas late in the parliament holden at Westminster,

**I**TEM come nadgairs en parlement tenuz a Westm' lan  
du

du regne nostre dit seigneur le Roi tierce a la requeste des communes & par assent des seignurs temporels estoit ordeigne & assentuz & sur grevoule peyne defenduz que nul liege le Roi nautre persone quelconque de quel estat ou condition qil fuist prendroit ne reseivroit de lors enavant deinz le roialme dEngleterre procuracie lettre dattourne ne ferme nautre administration par endenture nautre manere quelconque de nulle personne dascun benefice de seinte esglise deinz le dit roialme fors tantfoulement des lieges nostre seigneur le Roi de mesme le roialme sanz espediale grace & expresse congie de nostre seigneur le Roi sur certaine peine comprise en lestatut avantdit assentuz est ore & accordes par mesmes les seignurs que mesme lestatut teigne ses force & vertue en toutz pointz. Et outre ceo est auxint assentuz que si ascun alien eit purchacez ou desore purchace ascun benefice de seinte esglise dignite ou autre & en propre persone preigne possession dicelle ou loccupie de fait deinz mesme le roialme soit il a son oeps propre ou al oeps dautri sanz espediale congie du Roi soit il compris en mesme lestatut & outre ceo encourage en toutz pointz tielx peines & forfaiture come sont ordeinez par un autre estatut fait en lan xxv. del regne luy noble Roi E. aiel nostre seigneur le Roi qore est contre ceux qi purchacent provisions dabbeies ou priories. Et en outre au syn que tielx licences ne se facent desore enavant le Roi voet & commande a toutz ses lieges & autres qils lour abstiegnent de cy enavant de luy prier dascuns tiels licences donner.

ster, the third year of the reign of our said lord the King, at the request of the commons, and by the assent of the lords temporal, it was ordained and assented, and upon a grievous pain prohibited, That no subject of the King nor other person, of what estate or condition he were, should take, neither receive from thenceforth, within the realm of England, procuracy, letter of attorney, ne ferm, nor any other administration by indenture, or in any other manner, of any person concerning any benefice of holy church within the realm, but only of the King's subjects of the same realm, without the especial grace and express licence of our said lord the King, upon a certain pain contained in the said statute;

(2) it is assented and agreed by the same lords, That the same statute shall keep his force and effect in all points. (3) And moreover it is assented, That if any alien have purchased, or from henceforth shall purchase any benefice of holy church, dignity, or other thing, and in his proper person take possession of the same, or occupy it himself within the realm, whether it be to his own proper use, or to the use of another, without especial licence of the King, he shall be comprised within the same statute: (4) and moreover shall incur all pains and forfeitures in all points as is before ordained by another statute made the five and twentieth year of the noble King EDWARD the Third, grandfather to our lord the King that now is, against them that purchase provisions of abbeyes or priories. (5) And to the intent that such licences shall not be from henceforth made, the King willeth and com-

A confirmation of the statute of 3 R. 2. c. 3.

No alien shall purchase any benefice of the church, or occupy the same without the King's licence.

25 Ed. 3. stat. 5. c. 22.



commandeth to all his subjects and other, that they shall abstain them from henceforth to pray him for any such licence to be given. (6) And also the King himself will refrain to give any such licence during the wars, except to the cardinal of *Naples*, or to some other special person to whom the King is beholden for a special cause.

ner. Et si voet auxi le Roi luy mesmes absteigner de donner aucune tiele licence durant les guerres horspris au cardinal de Naples ou a autre especiale persone a qi le Roi soit par especiale cause tenuz.

The cardinal of Naples excepted.

### C A P. XIII.

*No man shall ride in harness within the realm, nor with launcegaies.*

No man shall ride in harness within the realm, nor with launcegaies.

**I**TEM, it is ordained and assented, and also the King doth prohibit, That from henceforth no man shall ride in harness within the realm, contrary to the form of the statute of *Northampton* thereupon made, neither with launcegay within the realm, the which launcegaies be clearly put out within the said realm, as a thing prohibited by our lord the King, upon pain of forfeiture of the said launcegaies, armours, and other harness, in whose hands or possession they be found that bear them within the realm, contrary to the statutes and ordinances aforesaid, without the King's special licence.

**I**TEM est ordeignez & assentuz & le Roi defende qe desoremes null homme chivache deinz le roialme armez contre la forme de lestatut de Northampton sur ce fait ne vesqe lancegay deinz mesme le roialme les queux lancegays soient de tout oustze deinz le dit roialme come chose defendue par nostre seigneur le Roi sur peine de forfaiture dicetz lancegays armures & autres harneys quelconques es mayns & possession de celluy qi les portera desore deinz mesme le roialme contre cestz estatutz & ordinances sans especiale coogie de Roi nostre seigneur.

7 Ed. 1. stat. 1.  
2 Ed. 3. c. 3.  
20 R. 2. c. 1.

### C A P. XIV.

*They which shall depart the realm by the King's licence, may make general attornies.*

They who shall depart the realm by the King's licence may make general attornies.

**I**TEM, in writs of *Præmunire facias* it is assented and agreed, That they against whom such writs be sued, and who at this time be out of the realm, and be of good fame, and have made their general attornies before their departing, that the chancellor of *England* for the time being, by the advice of the justices, may grant, that the same persons may appear to answer, to do,

**I**TEM es briefs de præmunire fac' est assentuz & accordez qe ceux vers queux tielz briefs sont portez & qi sont de present hors de roialme & sont de bone fame & aient faitz leur generalx attournes devant leur departir qe le chaunceller d'Engleterre pur le temps estant par ladvis des justices purra grantir qe mesmes les persones purront apparoir & respondre & faire & recevoir ce qe la ley de-

demande par leur generalx attournes avantditz si avant come es autre cas & queeles. Et ceux perſones que deſore en avant paſſeront par licence noſtre ſeigneur le Roi & ſoient auxint de bone fame que a leur requēſte le dit chancelier par ladvis des justices leur purra grantier de fair leur generalx attournes en la chancellerie par patent du Roi devant leur paſſer a reſpondre ſibien es ditz briefs de premunire fac' come en autres queeles en quel cas toutes voies ſoit expreſſe mention faite des briefs & queeles de premunire fac'. Et celle patente enſi faite purront deſors les ditz attournes en abſence de leur meſtres reſpondre pur eux & autres attournes deſouz eux faire devant quelconque juge du roialme & faire & reſceivre el dit cas ſi avant come en null autre cas nient contreſteant aſcun eſtatut fait a contraireie avant ces heures.

and to receive that thing which the law demandeth, by their general attornies aforeſaid, as well as in other cauſes and quarrels.

(2) And thoſe perſons which from henceforth ſhall paſſ by the King's licence, and be of good fame, that at their requēſt the chancellor, by the advice of the justices, may grant to them to make their general attornies in the chancery by the King's patent, before their paſſage, to anſwer as well in the ſaid writs of *Præmunire facias*, as in other writs and complaints; in which caſe expreſſ mention ſhall be made at all times of the writs and complaints of *Præmunire facias*.

(3) And this patent ſo made, the ſaid attornies from henceforth, in abſence of their maſters, may anſwer for them, and make other attornies under them, before any judge of the realm, to do and receive in the ſaid caſe as much as in any other caſe or matter, notwithstanding any ſtatute made to the contrary heretofore.

### C A P. XV.

*A confirmation of certain ſtatutes made againſt maintenance and champerty.*

**I**TEM ſur la grevouſe pleinte queſt fait des meyntenours des querel's & chaumpartours eſt ordeignez & aſſentuz que leſtatutz ent faitz en les ans du regne le Roi EDWARD aiel noſtre dit ſeigneur le Roi primer & quart & auxint en lan de noſtre ſeigneur le Roi qore eſt primer ſoient tenuz & gardez & duement executz en toutz pointz.

**I**TEM, for the grievous complaint that is made of maintainers of quarrels, and champertors; it is ordained and aſſented, That the ſtatutes thereof made in the firſt and fourth years of King EDWARD, grandfather to our lord the King that now is, and alſo in the firſt year of our lord the King that now is, ſhall be holden and kept, and duly executed in all pointz.

A confirmation of the ſtatutes made againſt maintenance and champerty.

1 Ed. 3. ſtat. 2.  
c. 14.  
4 Ed. 3. c. 11.  
1 R. 2. c. 4.

## C A P. XVI.

*No armour or victual shall be sent into Scotland without the King's licence, upon pain of forfeiture thereof.*

Ex edit. Raft.  
Scotland, ar-  
mour, corn,  
victual, li-  
cencce.

**I**TEM, it is assented, and the King straitly defendeth, That from henceforth no person, alien nor denizen, of whatsoever estate or condition that he be, shall earry nor send; nor do to be carried nor sent; by land nor by sea, out of the realm of *England*, to any parts of *Scotland*, privily nor apertly, any manner of armour, corn, malt, or other victuals, or any other refreshing, upon pain of forfeiture of the same victuals, armours, and other things aforesaid, together with the ships; vessels, carts, and horses, which shall bring or carry the same, or of the very value of the same, except so it be that the King do give his special licence to the contrary. And to the intent that these ordinances be duly kept and put in due execution; it is also assented, That he which after proclamation thereof made, espy and prove that any hath offended or forfeit in any point against the form of this ordinance, shall have the third part of the said forfeitures wholly to his own use.

15 R. 2. c. 7.  
Rep. 4 Jac. 1.  
c. 1.

## C A P. XVII.

*The mainpernors shall satisfy the plaintiff for his delay, where the defendant keepeth not his day.*

Mainprise, su-  
perfedees,  
mainpernors.

**I**TEM, it is assented and accorded, That in writs of debt, trespass, and account, and in all other cases, where mainprise, and writs of *Superfedees* be grantable, that if the persons comprised come not before the judges at a day comprised in the same mainprise; and by so much the plaintiff is put to delay and loss, the said mainpernors shall be answerable to the plaintiffs of a certain sum of silver, to be limited by the discretion and advice of the said judges, having consideration to the quality and quantity of the damages of the parties, and of the things in demand. And this ordinance of mainpernors shall endure in assay till the next parliament only. And therefore we cominand you, &c. Dated, &c.

*Consimilia mandata Regis diriguntur singulis vicecomitibus per Angliam sub eadem data.*

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Statutes made at *Westminster*, Anno 8 RICH. II.  
and Anno Dom. 1384.

**T**O the honour of God, and at the request of the commonalty of the realm of England made to our lord the King in his parliament holden at *Westminster* in the morrow of *St. Martin*,  
the

**A**D honorem Dei & requi-  
sitionem communitatis  
regni Anglie factam domino  
Regi in parlamento suo tento  
apud *Westm'* in crastino sanc-  
to Martini anno regni sui octa-  
vo

vo idem dominus Rex de assensu prelatorum magnatum & communitatis predictæ quoddam statutum in eodem parlamento pro communi utilitatè dicti regni & prefertim pro bona & justa gubernatione ac debita executione communis legis fieri fecit in forma subsequenti:

*the eighth year of his reign; the same our lord the King of the assent of the prelates, great men and commons aforesaid, hath caused to be made in the same parliament, a certain statute for the common profit of the said realm, and especially for the good and just governance, and due execution of the common law, in the form following.*

## C A P. I.

*A confirmation of the liberties of the church; and of all statutes not repealed.*

**I**N primis concordatum est & statutum quod sancta ecclesia habeat omnes libertates suas & quod Magna Carta & Carta de Foresta statuta de provisoribus & laboratoribus & omnia alia statuta & ordinationes ante hec tempora edita & minime revocata teneantur observentur & executioni debite demandentur juxta formam & effectum eorundem:

**F**IRST, it is ordained and enacted, That holy church have all her liberties; (2) and that the Great Charter, and the Charter of the Forest, the statutes of purveyors and labourers, and all other statutes and ordinances heretofore made and not repealed, shall be holden and observed, and put in due execution, according to the form and effect of the same.

The liberties of the church, and all statutes not repealed, confirmed.

## C A P. II.

*No man of law shall be justice of assise, or gaol-delivery, in his own country.*

**I**TEM concordatum est & statutum quod nullus homo de lege sit de cetero justitiarius assisarum vel communis deliberationis gaolarum in propria patria sua & quod capitaneus justitiarius de communi banco assignetur inter alios ad hujusmodi assisas capiendas & ad gaolas deliberandas. Set quod ad capitalem justitiarium de banco Regis fiat sicut pro maiori parte centum annorum proxime preteritorum fieri convenit:

**I**TEM, it is ordained and enacted, That no man of law shall be from henceforth justice of assises, or of the common deliverance of gaols in his own country; (2) and that the chief justice of the common bench be assigned amongst other to take such assises, and deliver gaols. (3) But as to the chief justice of the King's bench, it shall be as for the most part of an hundred years last past was wont to be done.

No man of law shall be justice of assise, &c. in his own country.

13 H. 4. c. 2.  
31 H. 8. c. 24.  
12 Geo. 2. c. 27.

## C A P. III.

*None of the justices or barons shall take any fee or reward but of the King, nor shall give counsel where the King is party, or in any suit depending before them.*

Ex edit. Raft.  
Justices, coun-  
sel.

**I**TEM, whereas late in the time of the noble King EDWARD, grandfather of our sovereign lord the King that now is, it was ordained, That justices, as long as they should be in the office of justices, should not take fee nor robe of any except of the King, and that they should not take gift nor reward by them nor yet by other, privily nor apertly, of any man which should have any thing to do afore them in any wise, except meat and drink, of small value: and that they should not give counsel to any great or small in things or affairs, where the King is party, or which in any wise touch the King upon a certain pain contained in the said ordinance: and in the same manner it is ordained of the barons of the exchequer, as in the said ordinance is more plainly contained: the said ordinance being rehearsed in the parliament, it is ordained and assented, That no justice of the King's bench nor of the common bench, nor none of the barons of the exchequer, as long as they shall be in the office of justice or barons, shall take from henceforth robe, fee, pension, gift, nor reward, of any but of the King, except reward of meat and drink, which shall be of no great value. And that from henceforth they shall give no counsel to any great or small in things or affairs, wherein the King is party, or which in any wise touch the King, and that they be not of any man's counsel in any cause, plea, or quarrel, hanging the plea before them or in other of the King's courts or places, upon pain of loss of their office, and making to the King fine and ransom.

Barons of the  
exchequer.

18 Ed. 3. stat. 4.  
9 R. 2. c. 1.

## C A P. IV.

*The penalty if a judge or clerk make a false entry, raise a roll, or change a verdict.*

**I**TEM, at the complaint of the the said commonalty made to our lord the King in the parliament, for that great disherison in times past was done of the people, and may be done by the false entering of pleas, raising of rolls, and changing of verdicts; (2) it is accorded and assented, That if any judge or clerk be of such default (so that by the same default there ensueth disherison of any of the parties) sufficiently convict before the King and his council, by the manner and

**I**TEM ad querimoniam dicte communitatis factam domino Regi in parlamento de eo quod magna exheredatio retroactis temporibus pluribus de populo facta extitit & fieri poterit per falsam inrotationem placitorum rasuras rotulorum et mutationem veredictorum concordatum est & statutum quod si aliquis iudex vel clericus de hujusmodi defectu dummodo per defectum illum exheredatio alterius partium subsequatur sufficienter con-

The penalty  
if a judge or  
clerk make a  
false entry of  
a plea, raise a  
roll, or change  
a verdict.

convincatur coram Rege & consilio suo per modum & formam quos idem dominus Rex & concilium suum tunc viderint fore rationabiles infra duos annos post defectum hujusmodi factum si pars gravata sit plene etatis & si infra etatem fuerit tunc infra duos annos postquam ad plenam etatem pervenerit puniatur per finem & redemptionem ad voluntatem Regis & satisfaciatur parti. Et quoad restitutionem hereditatis per dictam communitatem petitam sequatur pars gravata per breve de errore vel alias juxta legem si sibi viderit expedire.

and form which to the same our lord the King and his council shall seem reasonable, and within two years after such default made, if the party grieved be of full age, and if he be within age, then within two years after that he shall come to his full age, he shall be punished by fine and ransom at the King's will, and satisfy the party. (3) And as to the restitution of the inheritance desired by the said commons, the party grieved shall sue by writ of error, or otherwise, according to the law, if he see it expedient for him.

3 Ed. 1. c. 29.  
8 H. 6. c. 12.  
10 H. 6. c. 4.  
18 H. 6. c. 9.

## C A P. V.

*What suit shall be discussed before the constable and marshal of England. \**

**I**TEM pro eo quod diversa placita communem legem tangentia & que per communem legem deduci & discuti deberent trahuntur jam de novo coram constabulario & marescallo Anglie ad grave dampnum & inquietationem populi concordatum est & statutum quod omnia placita & quele communem legem terre tangentia & que per communem legem deduci & discuti debeant non trahantur nec teneantur de cetero coram prefatis constabulario & marescallo quoquo modo set quod curia ipsorum constabularii & marescalli habeat id quod ad dictam curiam pertinet & quod lex communis habeat id quod ad ipsam pertinet ac fiat & usitetur prout temporibus progenitorum domini Regis fieri & usitari consuevit.

**A**ND because divers pleas concerning the common law, and which by the common law ought to be examined and discussed, are of late drawn before the constable and marshal of England, to the great damage and disquietness of the people; (2) it is agreed and ordained, That all pleas and suits touching the common law, and which ought to be examined and discussed at the common law, shall not hereafter be drawn or holden by any means before the foresaid constable and marshal, but that the court of the same constable and marshal shall have that which belongeth to the same court, and that the common law shall be executed and used, and have that which to it belongeth, and the same shall be executed and used as it was accustomed to be used in the time of King EDWARD.

What suit shall be discussed before the constable and marshal of England.

13 R. 2. stat. 1.  
c. 2.

\* This chapter was first published by Fulton.

*De proclamando statutum predictum.*

**R**EX vicecomiti Lincoln' salutem. Quoddam statutum per nos de assensu prelatorum magnatum & communitatis regni nostri Anglie in ultimo parlamento nostro apud Westm' tento pro communi utilitate dicti regni nostri editum tibi mittimus presentibus interclusum mandantes & firmiter precipientes quod statim visis presentibus ac statuto predicto statutum illud in pleno comitatu tuo ac in civitatibus burgis villis mercatorum & aliis locis in balliva tua ubi melius expedire videris publice legi & proclamari facias ac quantum in te est firmiter observari.

T. R. apud Westm' xiiii. die Junii anno regni nostri octavo.

Consimilia brevia diriguntur singulis vicecomitibus Anglie.

Statutes made at *Westminster*, Anno 9 RICH. II.  
and *Anno Dom.* 1385.

4 Inst. 51.

**O**UR lord the King, at his parliament holden at Westminster, the Friday next after the feast of Saint Luke, the ninth year of his reign, of the assent of the prelates, dukes, marquises, earls, barons, and commons at the said parliament assembled, hath ordained and established the things under-written.

**N**OSTRE seigneur le Roi a son parlement tenuz a Westm' le vendredy prochein apres le feste de saint Luc lan de son regne noesisme si ad del assent des prelatz ducs markys conts barons & communes au dit parlement assemblez ordenez & establiz les choses & soutez escriptz.

CAP. I.

*A confirmation of all statutes not repealed, saving of the statute of 8 Rich. II. c. 3.*

All former statutes not repealed shall be put in execution.

**F**IRST, it is accorded and assented, That all the statutes made by the parliament in the times of the King's noble progenitors, and in his own time, as well of sheriffs, under-sheriffs, escheators, and clerks of sheriffs, as of purveyors, and all other good statutes and ordinances not repealed by parliament, shall be firmly holden and kept, and due execution thereof done, according to the effect of the same; (2) except the statute of the justices and barons of the exchequer made at the last parliament, which, because it is very hard, and needeth declaration, the

**E**N primes accordez est & assentuz que touz les estatuz faitz par parlement en temps de les nobles progenitours nostre seigneur le Roi qore est & en son temps demesne sibiens des viscontz iouth-viscontz eschetours & clers des viscontz come des purveours & touz autres bones estatutz & ordonances nient repellez par parlement soient fermement tenuz & gardez & due execution ent fait solonc leffecte dicelles forspris lestatut des justices & barons de leschequer fait en darrein parlement le quele a cause qil est trop dure & embosoigne declaration le Roi voet qil soit

A repeat of the statute of 8 R. 2. c. 3.

King

de

de nulle force tanqe soit decla-  
rez par parlement.

King will that it be of no force  
till it be declared by parlia-  
ment.

### C A P. II.

*Villains flying into places enfranchised, and suing their lords,  
shall not bar thereby.*

**I**TEM, whereas divers villains and neiffs, as well of great lords as of other people, as well spiritual as temporal, do fly within cities, towns, and places enfranchised, as the city of London, and other like, and feign divers suits against their lords, to the intent to make them free by the answer of their lords: (2) it is accorded and assented, That the lords nor other, shall not be forebarred of their villains, because of their answer in the law. Villains flying into places enfranchised, and suing their lords. 12 Car. 2. c. 24.

### C A P. III.

*A writ of error or attaint maintainable by him in the re-  
version.*

**I**TEM accordez est & assentuz qe si tenant a terme de vie tenant en dower tenant par ley d'Engleterre ou tenant en la taille apres possibilite de issue esteint soient empledez & pledent al enquest & perdont par serement de dufze ou qils perdont par defaute ou en autre manere qe celluy a qi la reversion de tenementz ensy perduz appendoit a temps de tiel jugement rendu ses heirs ou successours eient action par brief dattaint dattaindre le dit serement sils voillent assigner mesme le serement estre falx & auxint par brief derrouer si errouer y soit troye en le record de tiel jugement sibien en la vie des ditz tenantz qensy perdont come apres lour mort & si tiel jugement erroyne soit reverse ou tiel falx serement soit troye qe le tenant qi perdi par le primer jugement sil soit en vie soit restitut a la possession des tenementz ensy perduz ove les issues en le mesme temps & le partie pursuant a les arrerages de la rente si ascun a luy soit due de mesmes les tenementz,

**I**TEM, it is accorded and assented, That if the tenant for term of life, tenant in dower, tenant by the curtesy of England, or tenant in tail after possibility of issue extinct, be impleaded, and plead to an inquest, and lose by the oath of twelve, or by default, or in other manner, that he to whom the reversion of the tenements so lost doth appertain at the time of such judgement given, his heirs or successors, shall have an action by writ of attaint, to attaint the same oath, if they will assign the same oath to be false, and also by writ of error, if error be found in the record of such judgement, as well in the life of such tenants that so do lose, as after their death. And if such judgement erroneous be reversed, or such false oath be found, that the tenant which did lose by the first judgement, if he be in life, shall be restored to his possession of the tenements so lost, with the issues in the mean time, and the party pursuing, to the arrearages of the rent,

He in the reversion shall have an attaint or writ of error upon a false verdict found, or an erroneous judgement given against the particular tenant.

<sup>2</sup> Bullr. 247.



if any be due of the same tenements. And if such tenant be dead at the time of the judgement given upon such writs of attaint and of error, that restitution of the said tenements be made to the party pursuing, with the issues after the death of the said tenant, together with the arrearages of the rent, if any to him were due in the life of the said tenant.

He in the reversion alledge. h that the particular tenant was of covin with the demandant.

II. Provided nevertheless, That although the tenant which so did lose by the first judgement be in life, and the party pursuing will alledge that the same tenant was of covin, and of assent of the demandant which recovered, that such tenements ought to be lost, that restitution of the same tenements be made to the same party pursuing, with the issues and arrearages, as afore is said, saving to such tenant his action by writ of *Scire facias*, out of the same judgement so reversed or given, or writ of attaint, if he will traverse the covin and assent aforesaid, and otherwise not. And that this statute hold place of judgements to be given in time to come, and also of two judgements late given in the King's bench in two pleas of error, the one betwixt *Edmund Frances* and *Ideyn* his wife, demandants, and *Robert Westby* and other tenants of certain tenements in *Oxenford*, and in the suburbs of the same town; and the other betwixt the said *Edmund* and *Ideyn* demandants, and *Richard Cornwall* and *Isabel* his wife and others tenants, of certain tenements in the same town, of which tenements the rever-

The particular tenants remedy to traverse the covin.

mentz. Et si tiel tenant soit mort a temps del jugement rendu sur tielx briefs datteynt & derrorr que restitution de tielx tenementz soit fait a la partie pursuant ove les issues puis la mort del tenant suiddit ensemblement ove les arrearages del rent si ascun a luy fuist due en la vie de tiel tenant.

Purveu ne pur quant coment que le tenant qensy perdi par le primer jugement soit en vie & le partie pursuant voille alleger que mesme le tenant fuist de covine & assent del demandant que recovery que tielx tenementz deussent estre perduz que restitution de mesmes les tenementz soit fait a mesme la partie pursuant ove les issues & arrearages come devant est dit savant a tiel tenant action par *Scire facias* hors de mesme le jugement ensy reverse ou rendu en le brief dattainte sil voille traverser les covine & assent avant-ditz & autrement nient. Et que cest estatut tiegne lieu des jugementz a rendre en temps avenir & auxint de deux jugementz nadgairs renduz en bank le Roy en deux plees derrorr lun entre *Edmund Frances* & *Idoine* sa femme demandantz & *Robert de Westby* & autres tenants de certains tenementz en *Oxenford* & le suburbe de mesme la ville & lautre entre les ditz *Edmund* & *Idoine* demandantz & *Richard Cornewayle* & *Isabel* sa femme & autres tenants de certains tenementz en mesme la ville des queux tenementz le reversion appendoit au temps des ditz deux jugementz renduz as maistre & escolers del college de la sale del Universite d'*Oxenford* a ce qest dit & que les ditz maistre & escolers

poont avoir & faire leur suite par brief dateinte ou derroure de mesme les jugementz come meultz leur semblera solonc la fourme de cest estatut.

sion at the time of the said two judgements given did pertain to the master and scholars of the college of the *University Hall* in *Oxford*, as it is said, so that the master and scholars

may have and do their suit by writ of attainr or of error of the same judgements, as to them best shall seem, according to the form of this statute. 23 H. 8.c.3.

#### CAP. IV.

*Whether a prior be dative and removable, or perpetual, the trial shall be by the ordinary.*

**I**TEM, whereas a plea is moved betwixt party and party in the King's court, which do descend to an issue upon such point, that is to say, if the matter being in plea touch any prior, be he perpetual, or dative and removable at the will of his abbot sovereign, the one of the parties will alledge in declaration of such perpetuity, that such prior was presented by his sovereign to the ordinary, and by him received, instituted, and inducted: it is ordained and established, That in such case, when the party descendeth to such issue, that a writ be sent to the ordinary of the place, to certify if such prior be perpetual, or dative and removable, as before, and that the matter be judged according to the certification, and that this statute be of force betwixt the parties, as well where such prior is not party, as where he is party, and as well in pleas hanging, as in pleas hereafter to be commenced. Ex edit. Rast. Ordinary.

#### CAP. V.

*The fees of priests taken in the marshalsea of the King's house.*

**I**TEM a la reverence de Dieu & seint esglise accordez est & establi qe prestres & autres genz de seint esglise pris en la marhalcie de hostel nostre seigur le Roy paient tielx come les lais genz resonablement paient & nient plus.

**I**TEM, for the reverence of God, and of holy church, it is accorded and established, That priests and other people of holy church, taken in the marshalsea of the King's house, shall pay such fees as lay-people pay, reasonably, and no more. The fees of priests, taken in the marshalsea of the King's house.

A statute made Anno 10 RICH. II. and Anno Dom. 1386.

**K**NOW ye, that at the reverence of God, and for to nourish peace, unity, and good accord, in all parts within the realm of England and especially for the common profit and ease of our people and good governance of the same, our realm of England, which we sovereignly

*reignly desire, of the assent of the lords and commons assembled in our parliament holden at Westminster the first day of October last past, we have done to be made a statute, as well for the amendment of the said governance, as for the common profit of the said realm in the form following.*

## C A P. I.

*The King's commission to the chancellor and others to examine into the state of his courts, revenues, grants, and officers fees.*

Ex edit. Rast.

**W**HEREAS our sovereign lord the King perceiveth, by the grievous complaint of the lords and commons of his realm, in this present parliament assembled, That his profits, rents, and revenues of his realm, by singular and insufficient counsel and evil governance, as well of some late his great officers, as of divers other persons being about his person be so much withdrawn, wasted, elained, given, granted, aliened, destroyed and evil dispended, that he is so much impoverished and void of treasure and good, and the substance of the crown so much diminished and destroyed, that his estate and the estate of his house may not honourably be sustained as pertaineth, nor the wars, which daily abound and environ his realm, maintained nor governed without great and outrageous oppressions and importable charges of his said people, and also that the good laws, statutes, and customs of his said realm (which he is bounden to hold and observe) be not, nor have not been duly holden nor executed, nor full justice or right done to his said people: whereby many disherisons, and divers great mischiefs and damages be happened, as well to the King as to his said people, and to all his realm: whereof he to the honour of God, and for the weal of him and of his realm, and for the quietness and relief of him and of his people (who have been in divers manners greatly charged before this time) willing with the grace of God against such mischiefs to provide a good and due remedy, hath of his free will, and at the request of the lords and commons aforesaid, ordained, made, and assiged, his great officers, that is to say, the chancellor, treasurer and keeper of his privy seal, such as he holdeth good, sufficient and lawful for the honour and profit of him and of his realm. And moreover of his authority royal, certain knowledge, good reason, and free will, and by the advice and assent of the prelates, lords, and commons aforesaid, in the full parliament, in aid of good governance of his realm, and good and due execution of his said laws, and in relief of the estate of him and his said people to come, upon the full trust that he hath of good advice, wit and discretion of the honourable fathers in God *William* archbishop of *Canterbury*, and *Alexander* archbishop of *Yor*, his dear uncles *Edmund* duke of *York*, and *Thomas* duke of *Glouster*, the honourable fathers in God, *William* bishop of *Winchester*, *Thomas* bishop of *Exeter*, and *Nicholas* abbot of *Wakham*, and his well-beloved and faithful *Richard* earl of *Arundel*, *John* lord of *Cobham*, *Sir Richard* *Lescrop*, and *John* *Deyereux*, hath ordained,

assined,

Chancellor,  
treasurer,  
keeper of the  
privy seal.

assigned, and deputed them by his letters patents under his great seal, to be of his great and continual council from Saint Edmund's, even the martyr, by a whole year next following after the date of the said letters patents, to survey and examine with the said great officers, that is to say, the chancellor, treasurer, and keeper of his privy seal, as well the estate and governance of his house and of all his courts and places, as of all his realm, and of all his officers and ministers, of whatsoever estate, degree, or condition they be, as well within the said house as without, and to enquire and take information by all the ways which to them best shall seem, of all the rents, revenues, and profits that to him pertaineth and be due, and ought to pertain and be due, as well within the realm as without, in any manner way or condition, and of all manner gifts, grants, alienations, and confirmations, made by him of lands, tenements, rents, annuities, profits, revenues, wards, marriages, escheats, forfeitures, franchises, liberties, voidances of archbishopricks, bishopricks, abbies, priories, farms of houses and possessions of aliens, and of all other possessions, sums of money, goods and chattels, and of all other things, and to what persons, and for what cause, and how, and in what manner, and namely of those persons, the which have taken without desert, and also of all manner of revenues and profits as well of his said realm, as of lands, seignories, cities, towns, castles, fortresses, and all manner his other possessions, as well on this side the sea as beyond, and of the profits and emoluments of his money and bullions, and of the taking of prisoners, towns, and places, ships, carracks, goods, and ransoms of war, by land and by sea, and of benefices and other possessions of cardinals rebels, and all other aliens, and also of carrying of money out of the realm by the collectors of the pope, procurators of the cardinals, Lumbards, and other persons, as well aliens as denizens, and of the emoluments and profits coming and rising of the customs and subsidies, of wools, leather, and woollens, and of small customs and other subsidies of clothes, wines and all other merchandises, and of *dismes* and *quinzimes*, and of all other subsidies and charges granted by the clergy and commons, and also of the receipts, profits, and payments of the hanaper of his chancery, and of all other his receipts from the time of his coronation till now of fees, wages, and rewards of officers and ministers more and less, also of annuities and other rewards, and also gifts and grants made to any persons by him and by his father and his grandfather in fee, or for term of life, or in any other manner, and if gree or payment be to them thereof made, and by whom, and how, and in what manner, and also how much they have released or given to officers or other to have their payments, and to what persons, how and in what manner, and of lands, tenements, rent, revenues and forfeitures, bargained and sold to the prejudice and damage of him and of his crown, and by whom, and to whom, how, and in what manner, and of the sale or bargain of talies and patents of singular profit as well in the time of his said grandfather, as in his own time,

and

and how, and by what persons, and also of all his jewels and goods, which were his said grandfather's at the time of his death, and what, and of what price or value, and where they be become, and how and in what manner, and of all chevances in any-wise made to his use by any manner of persons, and of all loss and damages which he hath had and sustained by the same, and by what persons, how, and in what manner; and of charters of pardons general and especial, and also of the sums and payments, and manner of the expences, as well of his said house, as for the salvation and defence of his realms, lands, feignories, towns, castles, fortresses, and other places on this side the sea, and beyond, done and received by any persons, as well soldiers as other, and by any manner way, and how, and in what manner, and how much they have given to have their payments, and of the concealments of his rights and profits, and by whom, how, and in what manner, and of maintainers, and takers of quarrels, embracers of enquests, and of officers and ministers made by brocage and of their broggers, and of them that have taken the said brocage, and how, and in what manner, and also of all the defaults and offences that be done as well in his said house and his other courts and places aforesaid, as in all other places within his realm of *England*, by any manner of persons, whereby the profit of him and of his crown hath been impaired and diminished, or the common law disturbed or delayed, or other damage to him happened: giving and committing by the same of his royal authority, and by the advice and assent aforesaid, to the said counsellors, and to six of them, and to the said great officers, full power and authority general and special, to enter his said house, and all the officers of the same, and all his other courts and places as often as them please, and to do come before them (where and when them pleaseth) the rolls, records, and other muniments and evidences, such as them liketh, and all the defaults, waits, and excesses found in his said house, and also all the defaults and misprisions found in the other courts, places, officers, and ministers aforesaid, and in all the other articles and points above named, and every of them, and also all the other defaults, misprisions, excesses, falsities, deceits, extortions, oppressions, damages, and grievances, done in prejudice, damage, and distress of him and of his crown, and the estate of his realm in general or special, above not specified nor expressed, to amend, correct, repair, redress, reform, and put in due and good estate and establishment, and also to hear and receive all manner of complaints and quarrels of all his lieges, which will sue and complain them as well for our said sovereign lord the King as for themselves, before the said counsellors and officers, of all manner of duresses, oppressions, injuries, wrongs, and misprisions, which may not be well amended nor determined by the course of the common law of the land before used, and thereof to give and make good and due remedy and recovery, as well for our said sovereign lord the King, as for his said liege people, and all the things aforesaid, and every of them

fully to discuss, and finally to determine, and thereof to make full execution according as to them best shall seem, for the honour and profit of our said sovereign lord the King, and of his estate and reintegration of the right and profits of his said crown, and better governance of the peace and laws of this land, and relief of his said people: willing also, That if diversity or variance of opinion rise or happen between the said counsellors and officers, that the judgement and opinion of the greater party have force and hold place, as in the said letters patents is fully contained: whereupon our said sovereign lord the King, willing that the corrections and redresses of the defaults and misprisions aforesaid may be for the profit of him and of his said realm in the form aforesaid, put in due execution without being broken or disturbed by any, of the assent of the lords and commons of his said realm in this present parliament, hath ordained and established, That every one of his said lieges greater or less, of whatsoever estate or condition that he be, shall be attending and obedient in how much that toucheth the articles aforesaid, and every dependence thereon, to the said counsellors and officers in the form aforesaid. And that every person that shall be judged before them, as convict of any of the defaults or misprisions aforesaid, shall take and receive without debate making such correction as shall be judged to him by the said counsellors and officers in the form aforesaid. And that no person, of what estate or condition that he be, greater or less, shall give to the King privily nor apertly, counsel, exhortation or motion, whereby the King should repeal their power within the time aforesaid, in any point, or do any thing contrary of his said grant, or of any of the said articles. And if any person, of what estate or condition that he be, do against the ordinance and establishment aforesaid, or procure or do any thing in any manner, whereby the said counsellors be disturbed in any point upon the exercise of their said power, or which exciteth or procureth our said sovereign lord the King to do or command any manner of thing, whereby the power of the said counsellors and officers, or the execution of their said judgement, and awards to be made in the same, be in any point aforesaid defeated, and that duly proved by good and true witnesses, which be notoriously holden of good fame and condition, not suspected, covenably examined before the King and the counsellors and officers aforesaid, any of the justices of the one bench or the other taken to them, or other discreet and learned in the law, such as please the said counsellors and officers, shall have such penance; that is to say, at the first time that he shall be so convict, he shall forfeit all his goods and chattels to the King, and nevertheless he shall be imprisoned at the King's will, and if any such person be duly attainted in the form aforesaid, of counsel, excitation or motion given to the King, or of doing the contrary of his said grant, as afore is said, albeit the King doth nothing by such counsel, excitation, or motion, yet he shall have such penance as afore. And if it happen (as God defend) that he so bear him afterward, that he  
be

be another time attained (as afore) of any of the said default or misprisons, then the same person so convicted or attainted, shall have at the second time the penance of life and of member saving always the dignity pontifical and privilege of holy church and clerical in all things aforesaid. And that this statute hold force and effect during the said commission only. And therefore we command thee, That thou do the said statute openly to be cried and published in cities, boroughs, towns, fairs, markets and other notable places within thy bailiwick within franchises and without, according to the tenor and form of the same.

Rep. 21 R. 2.  
c. 2.

Dated, &c.

*Autels mandemens sont envoiez a toutz les viscounts d'Engleterre.*

Statutes made at *Westminster*, Anno 11 RICH. II.  
and *Anno Dom.* 1387.

**O**UR lord the King heartily desiring that the peace of his land be well holden and kept, and his faithful subjects nourished and governed in quietness and tranquillity in all parts within his realm of England, to the honour of God, and for the causes aforesaid, by the assent of the lords and commons of his realm of England, assembled at his parliament holden at Westminster, the morrow of the Purification of our Lady, the eleventh year of his reign, doth make and establish certain statutes, and also doth grant certain graces and pardons in the form underwritten.

**N**OSTRE redoute seigneur le Roy desirant moult entierement de coer que la piece de sa terre soit bien tenuz & gardez & ses foialx lieges & subgitz nurrez & governez en quiete & tranquillite toutz parties deinz son roialme si ad al honnure de Dieu & pur les causes suifditz de lassent des seigneur & communes de son roialme assemblez a son parlement tenuz a Westm' lendemain de la Purification de nostre Dame lan de son regne unzisme fait & establi certains estatutz & ordonances & auxint grantez & otroiez certains graces & pardons en la fourme desout escriptz.

CAP. I.

*The archbishop of York and others attainted of high treason*

Ex edit. Raf.

**F**IRST, our sovereign lord the King, amongst other petitions and requests to him made by the commons of his realm in the said parliament, hath received one petition in the form following :

Petition 1.

**I**TEM, the commons pray, That whereas at the last parliament for cause of the great and horrible mischiefs and perils which another time were fallen by evil governance, which was about the King's person by all his time before, by *Alexander* late archbishop of York, *Robert de Veere* late duke of Ireland, *Michael*

*de la Pole* late earl of *Suffolk*, *Robert Tresilian*, late justice, and *Nicholas Brembre*, knight, and other their adherents and other, whereby the King and all his realm were very nigh to have been wholly undone and destroyed, and for this cause, and for to eschew such perils and mischiefs for the time to come, a certain statute was made in the same parliament, and a commission to divers lords, for the weal, honour, and safeguard of the King, his regality, and of all the realm; the tenor of which commission and statute hereafter followeth.

**R**ICHARD, by the grace of God King of England and of France, and lord of Ireland, to all them that shall see or bear these letters, greeting. We have certainly conceived by the grievous complaints of the lords and commons of our realm, in this present parliament assembled, that our profits, rents and revenues of our said realm, &c. and so forth, as in the statute next going before till these words.

That the judgement and opinion of the greater part have force, and hold place, and then thus: Commanding and charging all prelates, dukes, earls, barons, steward, treasurer, and comptroller, and all other officers of our house, justices of the one bench and of the other, and all our other justices, barons, and chamberlains of the exchequer, sheriffs, escheators, mayors, bailiffs, and all our other officers, ministers and liege people, that they be attending, obedient, counselling, and aiding, as often, and by the manner as our said counsellors and officers, shall do them to wit, on our behalf. In witness whereof we have done to be made these our letters patents. Dated under our great seal at Westminster, the xix. day of November, the tenth year of our reign.

**W**HEREAS our sovereign lord the King perceiveth, &c. as in the same last statute in the tenth year, till the end of the same statute, and then thus: And thereupon the said *Alexander*, *Robert*, *Michael*, *Robert*, and *Nicholas*, and their said adherents, seeing that their said evil governance should be perceived, and they by the same cause the lightlier to be punished by good justice to be done, and also their evil deeds and purposes before used to be disturbed by the said lords assigned by commission, as afore, made, conspired, and purposed divers horrible treasons, and evils against the King, and the said lords so assigned, and against all the other lords and commons, which were assenting to the making of the said ordinance and commission, in destruction of the King, his regality, and all his realm: whereupon *Thomas* duke of *Gloucester*, the King's uncle, and son to King *Edward*, whom God assail, *Richard* earl of *Arundel*, and *Thomas* earl of *Warwick*, perceiving the evil purposes of the said traitors, did assemble them in forcible manner for the safeguard of their persons, to shew and declare the said treasons and evil purposes, and thereof to set remedy, as God would, and came to the King's presence, affirming against the said five traitors appealed of high treason by them done to the King and to his realm, upon which appeal, the King our sovereign lord adjourned the said parties till this present parliament, and did take them in his safe protection, Protection



as in the record made upon the same appeal fully appeareth. And afterward in great rebellion, and against the said protection, the said traitors with their said adherents and other aforesaid, continuing their evil purpose, some of them assembled a great power to have destroyed the said duke and earls appellants, and other the King's lawful liege people, and to accomplish their treasons and evil purposes aforesaid. Whereupon the said duke of *Gloucester*, *Henry* earl of *Derby*, the said earls of *Arundel* and *Warwick*, and *Thomas* earl marshal seeing the open destruction of the King and of all his realm, if the said evil purposed traitors and their adherents were not disturbed, which might not otherwise have been done but with strong hand, for the weal and safeguard of the King our sovereign lord, and of all his realm, did assemble them forcibly, and rode and pursued till they had disturbed the said power, gathered by the said traitors and their adherents aforesaid, which five traitors be attained in this present parliament of the treasons and evils aforesaid, at the suit and appeal of the said duke of *Gloucester*, earls of *Derby*, *Arundel*, *Warwick*, and marshal: that it would please our redoubted sovereign lord the King, to accept, approve and affirm in this present parliament all that was done in the last parliament, as afore, and as much as hath been done since the said last parliament, by force of the statute, ordinance or commission aforesaid, and also all that the said duke of *Gloucester*, earl of *Arundel* and *Warwick* did, and all that the same duke and earls, and the said earls of *Derby* and marshal, or any of them did, or any other of their company, or of their aid, or of their adherents, or of any of them, or touching the assemblies, ridings, appeals, and pursuits aforesaid; as a thing made to the honour of God, salvation of the King, maintenance of his crown, and also of the salvation of all his realm: and also to ordain and establish, That the said duke of *Gloucester*, earls of *Derby*, *Arundel*, *Warwick*, and marshal, nor none of them, nor none of such as have been of their retinue, or company, force, aid, or counsel, or of any of them, in the things aforesaid, nor none other person for any thing aforesaid, shall be impeached, molested or grieved, at the suit of the King nor of the party, nor in other manner because of any assembly, riding, beating, levying of penons, or of baners, discomfiture, death of a man, imprisonment of any person, taking, leading away, or detaining of horses or of other beasts, taking or carrying of goods, harness, armour, chattels and other moveable goods, burning of houses or of other possessions or goods, assault, battery, robberies, thefts, coming or tarrying with force and arms, or armed in the King's presence at the parliament or council, or elsewhere, rising of the people, or exciting the people to rise forcibly against the peace by letters, commissions or any other deeds, or of any other thing that may be surmised by them or any of them, or ought or purposed to have been done from the beginning of the world touching any of the said matters before the end of this present parliament by any imagination, interpretation or other colour, but shall be quit and discharged for ever:

except that the King be answered of all the goods and chattels that were to them, which be attained in this present parliament, or to any of them, and which goods and things were taken by any person the first day of *January* last past, or after hitherto: we considering the matter of the said petition to be true, and at the request of our said commons in this part, to be to the honour of God, and profit of us and our realm, of the assent of the prelates, dukes, earls, barons, and all other of this present parliament do grant the request of the said commons in all points, after the form of their said petition. And moreover, of the assent aforesaid, we will and grant for the great quietness of our said realm, though that the said duke or earls appellants or any other of their company, retinue, force, aid, council, or adherents, or any of them have taken, led away, or withholden any of our justices, or any other our ministers, in disturbance of execution of the law of our realm of *England*, or in other manner, or that they have taken any manner of person traitor to us, or to our realm, or other person, and the same have voluntarily suffered to go at large or escape beyond the sea from the xiiii. day of *November* last past, till the end of this present parliament, that they nor none of them be for this cause impeached, molested, nor grieved by any manner of way, at the suit of us, our heirs, nor none other party, but thereof they shall be quit and discharged for ever, nor that they nor any of them be in any-wise molested, grieved, nor impeached, at the suit of us, our heirs, nor of other party for any thing done at any time for to attain to their purpose against the said appeals or any of them, or against any other person for this cause, nor for other thing or deed to affirm the same purposes till the end of this present parliament, but thereof shall be quit and discharged for ever.

*Moreover we have received another petition delivered to us in this present parliament by the same commons in the form following:*

**I**TEM, That no person that hath been about the King's Person a. person, nor none other person, shall be impeached, molested, nor grieved by appeal, accusation, or in other manner, because of evil governance or evil council about the King's person in any time before the end of this present parliament, or because of any other thing than hath been declared in this present parliament for treason or misprision: except those that be attained or judged in this present parliament, and except *John Ripon* clerk, *Henry Bowet* clerk, *William Monkton* clerk, *John Lancaster* knight, *Henry Ferers* knight, *Richard Clifford* clerk, *Richard Metford* clerk, *John Lincolne of Grimesby* clerk, *Nicholas Slake* clerk, *John Holcotes* esquire, *Nicholas Southwel*, *James Lustrake*, *Henry Clarke of Clakstede*, *Simkin of Shiringham*, *John Fitzmartin* clerk, *William Chesterton* parson of *Ratleseden*, friar *Richard Roughton* of the order of Friars minors, and *Thomas* his brother, and all they that be beyond the sea with the other traitors, and all other that will go to them hereafter.

Item,

ITEM, That none which hath been of the retinue, company, force, aid, council, assent, or adherence of them that be attained or judged in this present parliament, or of any of them (except those before excepted) be impeached, molested, nor grieved at the suit of the King nor other party, nor in other manner, because of any assembly, riding, beating, levying of penons or of baners of discomfiture, death of a man, imprisonment of any person, taking, leading away, or with-holding of horses or other beasts, taking or carrying of goods, harness, armour, chattels or other moveables, burnings of houses or of other possessions, or of any goods, assault, battety, robberies, thefts, coming and tarrying with force and arms, or armed in the King's presence at the parliament, councils, or elsewhere, raising of people, or exciting of the people to rise forcibly and against the peace, by letters, commissions, or other deeds against the intent or pursuit of the said duke of Gloucester, earls of Derby, Arundel, Warwick and marshal, which intent and pursuit be declared by their appeal in this present parliament, or of any other thing that may be surmised that they or any of them ought to have done or purposed to have done from the beginning of the world, touching any of the matters against the intent and pursuit aforesaid declared in the said appeal. Which petition of the assent aforesaid we have granted in all points, and thereof we will and grant full pardon and remission to them and every of them, to whom it pertaineth, according to the continue of the same petition.

*Also, we have received two other petitions delivered to us in the same parliament by the same commons, in the form following:*

Petition 3.

ITEM, That the appeals, pursuits, accusations, process, judgments, and executions made and given in this present parliament be approved, affirmed, and established as a thing duly made for weal and profit of the King our sovereign lord, and of all the realm, notwithstanding that the lords spiritual and their procurators did absent them out of the parliament at the time of the said judgements given, for honesty and salvation of their estate, as is contained in a protestation by the same lords spiritual and procurators delivered in this present parliament. And that by imagination, interpretation, or any other motion, none of the same be reversed, broken or adnulled in any manner. And whosoever that make pursuit to break, adnull, or reverse any of the said points, which pursuit is of record, he shall be judged and have execution as a traitor, and enemy of the King and his realm. Provided always, That this acceptance, approbation, affirmance and establishment touching the assemblies, appeals, pursuits, accusations, process, judgements, and executions aforesaid, have and hold force and vertue in these cases so fallen and happened or declared only, and that they be not drawn in example nor in consequence in time to come, nor that the said commission made at the last parliament, be drawn in example nor consequence hereafter, but as much as is done touching the said matters shall stand firmly for the time

time that is past, seeing they were so profitable to the King, and sustenance and maintainance of his crown, and salvation of all the realm, and made of so great necessity. And though that divers points be declared for treason in this present parliament, other then were declared by statute before, that no justice have power to give judgement of other case of treason, nor in any other manner, than they had before the beginning of this parliament.

ITEM, That none of the traitors attainted by the appeal afore-  
said, or accusations of the commons, which be yet in life, shall be reconciled nor restored to the law by pardon, nor in other manner: *saving the grace and pardon which is made in this present parliament*: and if any do pursue to reconcile them, or to make them to have pardon, or to restore them to the common law in any manner, and the same be duly and openly by record proved, he shall be judged and have execution as a traitor, and enemy of the King and of the realm: and if any charter of pardon, or licence to repair into *England*, or other grant be made to the said traitors, or any of them to be restored to the common law, or to abide in *England*, or in other place than is limited to them in this present parliament, that all such charters and grants be void and of no value. And if any of the said traitors come again, or hold him in *England* or elsewhere within the power and seigniory of the King or any of his lieges by any way, or if any of the said traitors, which be limited to abide in certain places, be found out, or pass the place to him limited, as is afore-  
said, it shall be done of him as of a traitor and enemy of the King and of the realm. Which petitions we of the assent afore-  
said have granted in all points, and we will that the same our grant shall stand firm and stable, according to the continue of the said petitions without blemish for ever.

Petition 4.

Rep. 21 R. 2.  
C. 12.  
Revised: H. 4.  
C. 3. & 4.  
1 H. 4. c. 9.  
2 H. 4. c. 22.

## CAP. II.

*Clause to prevent fraudulent conveyances of their estates.*

ITEM, it is ordained and established, That in the right of Forfeiture.  
the same forfeitures of those that be judged in this present Ex edit. Rast.  
parliament, before the xx. day of this present month of *March*, that the King have the forfeiture of all the castles, seigniories, reversions, lands, tenements, fees, advowsons, franchises, liberties and all other possessions, which were to *Alexander* late archbishop of *York*, *Robert de Veere* late duke of *Ireland*, *Michael de la Pole* late earl of *Suffolk*, *Robert Tresilian* knight, *Nicholas Brembre* knight, *John Blake*, and *Thomas Uske*, or to any of them the first day of the last parliament, which was the first day of *October*, the tenth year of the King that now is, or after hitherunto, and which any other had of the gift, grant, and feoffment of the said archbishop of *York*, duke of *Ireland*, earl of *Suffolk*, *Robert Tresilian*, *Nicholas Brembre*, *John Blake*, and *Thomas Uske*, or any of them, or of the gift, grant, or feoffment of any other by bargain or in any other manner, to the use of the same archbishop of *York*, duke of *Ireland*, earl of *Suffolk*, *Robert Tresilian*, *Nicholas Brembre*,

*Brembre, John Blake, and Thomas Uske, or any of them, the said first day of the last parliament, or after hitherunto, be forfeit to the King, and that all the goods and chattels which were to the said archbishop of York, duke of Ireland, earl of Suffolk, Robert Tresilian, Nicholas Brembre, John Blake, and Thomas Uske, or any of them, the seventeenth day of November last passed, or after hitherto, shall be also forfeit to the King. And if any of the said archbishop, duke, earl, Robert, Nicholas, John and Thomas have dimissed them of any of their goods and chattels by colour of any feigned gift or sale, or payment of debt not due, or in other manner by fraud or collusion, after the said first day of the last parliament till the said xx. day of March, such goods and chattels shall be forfeit to the King. And also that all the lands, tenements, reversions, fees, advowsons, franchises, liberties, and all other possessions, which were to R. Belknap, John Holt, John Cray, and William Burgh knights, or to any of them the first day of August last past or after hitherunto and which any other had of the gift, grant, or feoffment of the said Robert Belknap, John Holt, John Cray, and William Burgh, or of any of them, or of the gift, grant, or feoffment of any other by bargain or in other manner to the use of the same Robert Belknap, John Holt, John Cray, and William Burgh, or of any of them, the said first day of August, or after hither unto, shall be forfeit to the King. And that all the goods and chattels which were to the said Robert Belknap, John Holt, John Cray, and William Burgh, or to any of them, the sixth day of the said month of March, on which day they were judged, or afterward hither unto, shall be also forfeit to the King. And if any of the said Robert Belknap, John Holt, John Cray, and William Burgh have dimissed them of any of their goods and chattels, by colour of any feigned gift or sale, or payment of any debt not due, or in other manner by fraud or collusion after the said first day of August till the said sixth day of March, such goods and chattels shall be forfeit to the King. And also that all the lands and tenements, reversions, fees, advowsons, franchises, liberties, and all other possessions, which were to Roger Fulthorp knight, and John Lokton, or any of them, the xxv. day of the said month of August, or afterward hitherunto; and which any other had of the gift, grant, or feoffment of the said Roger Fulthorp, and John Lokton, or any of them, or of the gift, grant or feoffment of any other by bargain or in other manner to the use of the same Roger and John, or of any of them, the said xxv. day of August, or afterward hitherunto, shall be forfeit to the King, and that all the goods and chattels, which were to the said Roger and John, or to any of them, the vi. day of the said month of March, at which day they were judged, and afterward hitherunto, shall be also forfeit to the King. And if any of the said Roger Fulthorp, and John Lokton, have them dimissed of any of their goods and chattels by colour of feigned gift or sale, or payment of any debt not due, or in other manner by fraud or collusion after the said xxv. day of August till the said vi. day of March, such goods and chattels shall be forfeit to the King.*

## CAP. III.

*The estates of the bishop of Chichester and others also forfeited.*

**I**TEM, it is ordained and stablished, That the King shall have the forfeiture of all the castles, seignories, reversions, lands, tenements, fees, advowsons, franchises, liberties and all other possessions, which were to *T. Bishop of Chichester, Simon Burley knight, John Bechaump of Holt knight, James Berners knight, and John Salisbury knight*, also judged in this parliament, or which were to any of them, the said first day of *October*, the said tenth year, or which any other had of their gift, grant, or feoffment, or of any of them, or of the gift, grant, or feoffment, of any other by bargain, or in other manner to their use, or to the use of any of them, the said first day of *October*, or after, till the day that they were judged in this parliament, and that all the goods and chattels, which they or any of them had the xvii. day of *November* last past or after, till the said day of their judgement, shall be also forfeit to the King, and if any of them hath dimissed him of his goods and chattels by colour of any feigned gift or sale, or payment of debt not due, or in other manner, by fraud and collusion, after the said first day of *October*, the said tenth year, till the day that they were judged in this present parliament, they shall be also forfeit to the King, and if any rent charge be demanded of the said castles, seignories, lands, and tenements in demean or reversion so forfeit, as afore is said, and the said rent were granted not to the intent to be paid by the grantor effectually, nor after the purport of the said grant, that in such case the castles, seignories, lands and tenements so forfeit, shall be thereof discharged, and such grant of no value.

Forfeiture.

## CAP. IV.

*The penalty of concealing any part of the said estates after proclamation made. Estates possessed by a traitor in another's right excepted.*

**A**ND moreover it is ordained and stablished, That proclamation shall be made in the counties, that every person, that hath any of the goods and chattels so forfeit as afore is said, or to whose hands such goods and chattels shall come, that he within ii. months after the proclamation so made, shall come and certify the same to the King's council, and if he do not, and be thereof duly attainted, he shall be holden to answer to the King, and the same goods and chattels so concealed or the price of the same, and besides that, as much as the same goods and chattels so concealed be worth, and he shall also have one year's imprisonment. Provided always that if any of the said persons adjudged, be or were seised or in possession of any castles, seignories, lands, tenements, reversions, fees, advowsons, franchises, liberties, or other possessions by feoffment, gift, or

grant of any person, to the use and profit of any other, than to the use and profit of the said persons adjudged or of any of them, that such castles, lands, tenements, reversions, fees, advowsons, franchises, liberties, and any other possessions shall in no manner be forfeit, nor that this ordinance or establishment of forfeiture shall extend to them.

## CAP. V.

*Issues in tail, and jointures of women, also excepted.*

AND moreover it is ordained and stablished, That the King shall have all the said forfeitures, as well within franchises as without: saving the right of the lords of the said franchises, if any right to them pertain in this behalf. And it is not the intent of the King, nor of the lords and commons of the parliament, that by force of this statute the issues in tail, or they in reversion or in remainder, or women of their heritage or jointure with their husbands of gifts, grants, and feoffments made before the said time limited of forfeiture, shall be barred or foreclosed of their right, when their time shall come according to the common law.

## CAP. VI.

*Penalty of petitioning the King for any grant of the said estates during the war.*

ITEM, That all manner of feignories, lands, tenements, rents, services, goods, and possessions, and all manner of chattels forfeit to the King, because of judgements given against the persons adjudged in this parliament, and also all other lands and tenements, escheats, forfeitures, wards, marriages, and other profits which be, or shall come in the King's hand by any cause, shall abide wholly in the King's hand, during the wars, to acquit his debts, and in aid to maintain his estate, and also in case and supportation of his poor commons of the realm, notwithstanding any warrant or grant made to any before this time, and that no great man nor small in the King's house, nor about the King's person, nor no other of what estate or condition that he be, privily nor apertly be so hardy to take of the King's gift any of the said feignories, lands, tenements, rents, services, goods, possessions, escheats, forfeitures, wards, marriages, castles, or profits, or any other profits and revenues, during the wars (as afore) upon pain to forfeit the double to the King, and repeal of the same thing so demanded, and to be ransomed and imprisoned at the King's will, *except offices and bailliwicks, benefices and advancements of holy church. And except that that the King hath given in this present parliament:* so that in the right of the forfeitures judged in this present parliament, if any pretend to have right or interest to the same, he shall sue to the council, if him so liketh, and right shall be done to him, and that the King's great officers, by advice of other lords of the council, shall have power to sell parcel of the said forfeitures by

Forfeitures.

their

their discretion, and that the gift and grant to be made upon such sale shall be firm and stablished.

## CAP. VII.

*All merchants aliens and denizens may buy and sell within this realm without interruption.*

**I**TEM come par estatut fait a Everwyk lan du regne le Roy EDWARD tierce laiel nostre seigneur le Roy qorest noefisme ordeignez feuit & establiz qe toutz merchantz aliens & denzeins & toutz autres & chescun de eux de quel eitat ou condition qils soient qi achatre ou vendre veullent bles vins avoir de poiis chares peson & toutz autres vivres & vitailles leins draps merces merchandises & tout manere d'autres choses vendables de quele part qils viengnent par foreins ou par denzeins a quel lieu qi ce soit soit il citee burgh ville port du meer feir marchee ou autre lieu deinz mesme le roialme deinz franchise ou dehors les puissent franchement & sanz destourber vendre a qi qe lour plest auxibien as foreins come as deinceins forspris les enemys de nostre seigneur le Roi & de son roialme. Et si par cas destourbançe soit faite a nul merchant alien ou deincein ou autre sur la vente des tieles choses en citee burgh ville port de meer ou autre lieu qe franchise eit & les mair baillifs ou autres qont garde de la dite franchise requis par les ditz merchantz ou autre dent faire remede & il ne le face & de ce soit atteint soit la franchise pris en la mayne le Roy & nientmeyns soit tenuz lui & les autres qi averont fait celle destourbançe contre cest estatut de rendre & restorer au dit merchant ses damages qil aver-

ra

**I**TEM, *whereas by a statute* <sup>9 Ed. 3. stat. 1.</sup> *made at York, the ninth year* <sup>c. 1.</sup> *of King EDW. III. grandfather of the King that now is, it was ordained and established, That all merchants, aliens and denizens, and all other and every of them, of what estate and condition they be, which will buy or sell corn, wine, avoïr de pois, flesh, fish, and all other victuals, wool, cloths, wares, merchandises, and all other things vendible, from whence soever they come, by foreigners or by denizens, to what place that it be, be it city, borough, town, port of the sea, fair, market, or other place within the same realm, within franchise or without, may freely, and without disturbance sell the same to whom please them, as well to foreigners as denizens, except to the enemies of the King and of his realm. (2) And if percase disturbance be done to any merchant, alien or denizen, or other, upon the sale of such things in city, borough, town, port of the sea, or other place which hath a franchise, and the mayor, bailiffs, or other, that having the keeping of the said franchise be required, by the said merchants or other, thereof to make remedy, and do not, and thereof be attained, the franchise shall be taken into the King's hand; (3) And nevertheless, he and other which have done this disturbance against this statute, shall be bound to yield and restore to the said merchant his double damages, which he hath sustained by this occasion. (4) And if such disturbance be done to such*

Merchants may buy and sell wares, victuals, and all other commodities within the realm, without disturbance.

9 H. 3. stat. 1. c. 30.



What penalty shall be inflicted upon them which do disturb merchants to sell their commodities.

merchant, or to other, in towns and places where no franchise is, and the lord, if he be present, or his bailiff, constable, or other warden of the said towns and places, in absence of the lords thereof, required to do right, do not, and thereof be attainted, they shall yield to the plaintiff his double damages, as afore is said; (5) and the disturbers in the one case and the other, as well within franchise as without, if they be attainted, shall have imprisonment of one year, and nevertheless be ransomed at the King's will. (6) And that no alien nor denizen upon the same pains be disturbed, but that he may freely buy the things above named in the places aforesaid, and carry the same where pleaseth him to his own use, or to the profit of the King, the great men and the people of the realm, (7) except that the merchants aliens shall carry no wines out of the realm, as is contained in their charter; (8) and that the said things be holden, kept, and performed in every city, borough, town, port of the sea, and other places within the said realm, notwithstanding any charters of franchise to them granted to the contrary, nor usage, custom, nor judgements given upon their charters, usages, nor customs which they can alledge; (9) which charters, usages and customs (if any there were) the said King the grandfather, the prelates, earls, barons, and great men and commons aforesaid, do hold of no force, as things granted, used, and accustomed to the damage of the King, the prelates, earls, barons, and great men of his realm, and oppression of the commons.

Merchants aliens shall carry no wine out of the realm.

A reservation of customs.

II. Saving always to the King, and to other the customs due of the said merchandises. (2) And also that the chancellor, treasurer, and justices

ra suffert par celle enchaïfone au double. Et si tielle destourbance soit faite as tielx merchantz ou as autres es villes ou lieux ou franchise nest & le seigneur sil soit present ou son baillif constable ou autre gardein des ditz villes & lieux en absence des seignurs ent requis de faire droit ne le facent & de ce soient atteintz rendent les damages au pleintif au double auxi come desuis est dit & les destourbers en lun cas & en lautre auxibien deinz franchises come dehors sils soient atteintz eient la prison duñ an & jademains soient reintz a la volente le Roi. Et qe null alien ne deinzin sur mesmes les peins soit destourbe qil ne puisse franchement acheter les choses susnommez es lieux susditz & carier la ou luy plerra a son oeps demesne ou al profit du Roi & des grantz & du poeple du dit roialme forspris qe les merchantz aliens ne amefnent vins hors de mesme le roialme come est contenu en lour chartre & qe les ditz choses soient tenuz gardez & perfournez en chescun citee burgh ville port du meer & autre lieu deinz le dit roialme nient contrestant chartre de franchise a eux grantee a contraire ne usage ne custume ou juggementz renduz sur leur chartres usages ne custumes qe eux purront allegger les queux chartres usages & custumes si nulles soient le dit Roi laiel prelates contes barons & grantz & communaltees avandditz tiegnent de null force come choses grantez usez ou acustumez au damage du Roy prelatz contes barons & grantz de son roialme & oppression de son poeple.

Sauvez toutes foitz au Roy &

& as autres les custumes duez des ditz merchandises. Et auxint que le chancelier tresorer & justices assignez a tenir les plees le Roy es lieux ou ils veignent enquerger des tieles destourbances & grevances & facent punissement selonc ce qest avant ordeigne. Et nientmeyns que le Roy face assigner par commission de son grant seal certains gentz ou & qant luy plerra denquer des tieles destourbances & grevances & de faire punissement come desuis est dit. Et puis par estatut fait en parlement tenuz a Westm' lant vint & quint du regne le dit Roi EDWARD laiell accordez estoit par mesme le Roi EDWARD laiell prelates contes barons & toutz autres grantz & communes en le dit parlement assemblez que le dit estatut fait le dit an noefisme en toutz pointz & articles contenuz en ycel serroit tenu garde & meyn tenu & que si null estatut chartre lettre patente proclamation ou mandement usage allowance ou jugement feust fait a contrair serroit overtement repelle aniente & tenu pur null. Et outre ce que chescun merchant ou autre de quele condition qil serroit auxibien alien come denzein qi amesneroit vins charres pesson ou autre manere des vitailles draps peaux ou avoir de poiis ou quelconques autres merces ou merchandises a la citee de Londres ou as autres citees burghs & bones villes dEngleterre ou portz du meer les purroit franchise & sanz chalange ou empeschement de nully vendre en grosse ou a retaille ou par parcelles a sa volentee a quelconques gentz que les voudroient achatre nient contresteanz quelconque franchise

*justices assigned to hold the pleas of the King in places where they come, shall inquire of such disturbances and grievances, and punish according as is before ordained.*

*(3) And nevertheless, the King shall cause to be assigned by commission under the great seal, certain people, where and when it shall please him, to inquire of such disturbances and grievances, and to execute punishment as aforesaid.*

Who may inquire of and punish the said offences.

*(4) And after by a statute made at a parliament holden at Westminster the xxv. year of King*

25 Ed. 3. stat. 4. c. 2.

*EDWARD the Third, it was ordained by the same King EDWARD the grandfather, prelates, earls, barons, and all other great men and commons, That the said statute made the said ix. year, in all points and articles contained in the same, shall be holden, kept, and maintained.*

*(5) And if any charter, letters patents, proclamation, or commandment, usage, allowance, or judgement were made to the contrary, the same should be utterly repealed, avoided, and holden for none.*

*(6) And moreover, that every merchant or other, of what condition that he be, as well alien as denizen. which shall bring wines, flesh, fish, or other victuals, cloths, fells, or avoir de pois, or any other wares or merchandises to the city of London, or to other cities, boroughs, or good towns of England, or port of the sea, may freely and without challenge or impeachment of any, sell them in gross, or at retail, or by parcels, at his will, to all manner of people that will buy the same, notwithstanding any grant, franchise, or custom used, or any other manner of thing done to the contrary, since that such franchises and usages be in common prejudice of the King, and of all his people.*

Merchants may sell their wares in gross, or by retail, notwithstanding any grant or custom to the contrary. 2 R. 2. stat. 1. c. 1.

*(7) And that no mayor, bailiff,*

catchpole, minister, or other, shall meddle with the sale of any manner of victuals vendible, carried or brought to cities, boroughs, nor other towns, nor fair, or market, but only be to whom the victuals shall be. (8) And also that proclamation be thereof made of new in all the counties of England, and in the city of London, and in all other cities, boroughs, and good towns and ports of the sea, and elsewhere within the realm of England, where it shall be needful. (9) And that the said King the grandfather shall thereupon cause to be assigned his justices at all times that shall please him, and shall be necessary, to inquire of all them that shall sell, or any thing do to the contrary, and to punish them according to the pain contained in the same statute made the said ninth year. (10) And that every man that will sue against any, shall have a writ out of the chancery to attach him by his body, as a disturber of the common profit, and to make him come to answer thereof in the King's court, as by the same statutes plainly doth appear. (11) Our lord the King seeing clearly that the said statutes if they were holden and fully executed, should much extend to the profit and wealth of all the realm, hath ordained and established, by the assent of the prelates, dukes, earls, barons, great men, nobles, and commons in this present parliament assembled, That the said statutes shall from henceforth be firmly holden, kept, maintained, and fully executed in all the points and articles of the same, notwithstanding any ordinance, statute, charter, letters patents, franchise, proclamation, commandment, u-

chise grante ou custume use ou quelconque autre manere chose faite a contraire desicome que tieux franchises & usages sont en commune prejudice du Roi & de tout son poeple. Et que null mair baillif cachepol ministre ne null autre se medle- roit de la vente de null manere des vitailles vendables mesnez ou portez as citees burghs nau- tres villes ne foire ne marche fors soulement celui a qui les vitailles serroient & que procla- mation ent se ferroit de novell en toutz les contees dEngle- terre & en la citee de Londres & es touz autres citees burghs & bones villes & portz du meer & aillours deinz le roialme dEngleterre ou mestier serroit. Et que le dit Roi lai el sur ce fer- roit assigner ses justices toutz les foitz que lui plerroit & mestier serroit denquere de toutz ceux qui vendroient ou riens serroient a lencontre & de les punir selonc la peine contenue en mesme lestatut fait le dit an noesime & que chescun qui vor- roit suir devers null tiel averoit brief de la chancellerie de luy attacher par son corps come destourbour de commune pro- fit de luy faire ent venir a res- pons en la courte le Roi come par mesmes les estatutz pleine- ment appiert. Nostre seigneur le Roi veiant clerement que les ditz estatutz fils feussent tenez & pleinement executz sexten- dent overtement al profit & bien commune de tout le roialme Si ad ordeignez & esta- bliz par assent des prelatz ducs contes barons grantz nobles & communes en cest present par- lement assemblez que les ditz estatutz soient desore enavant fermement tenez gardez mayn- tenez

The stat. of  
9 Ed. 3. stat. 1.  
c. 1. & 25 Ed. 3.  
stat. 4. c. 2.  
shall be exe-  
cuted in all  
points, not-  
withstanding  
any charter,  
&c.

tenuz & pleynement executz en toutz poyntz & articles dy-celles Nient contreesteantz aucun estatut ordinance chartres lettres patentes franchise proclamation mandement usage allowance ou juggement fait ou use a contraire. Et qe si ascun tiel estatut ordinance chartre lettres patentz franchise proclamation maundement usage allowance ou juggement soit fait ou use a contraire soit outrement repellez & tenuz pur null.

sage, allowance, or judgement made or used to the contrary. (12) And that if any statute, ordinance, charter, letters patents, franchise; proclamation, commandment, usage, allowance, or judgement be made or used to the contrary, it shall be utterly repealed, avoided, and holden for none.

Vid. 16 R. 2. c. 1.  
1 H. 4. c. 17.

### CAP. VIII.

*Certain annuities granted by the King, his father and grandfather, made void.*

**I**TEM, it is ordained and established, That all the annuities and other things given or granted by our lord the King, or by his father or grandfather, to any manner of persons, with the clause, *Quousque pro statu suo aliter duxerimus ordinandum*, shall be wholly void and of no force, if the same persons have accepted afterward any other things of the King and of his said father or grandfather,

### CAP. IX.

*No new imposition shall be put upon merchandises.*

**I**TEM qe nulle imposition ne charge soit mys sur lains quirs ou pealx lanutz autre qe le subside & custume grantez au Roi en cest present parlement & si ascuny soit soit repellez & adullez come autres soitz feust ordeynez par estatut Sauvant toutdiz au Roi son auncien drost.

**I**TEM, That no imposition or charge be put upon wools, leather, or woofsels, other than the custome and subsidy granted to the King in this present parliament; and if any be, the same shall be repealed and annulled, as it was another time ordained by statute; saving always unto the King his ancient right.

45 Ed. 3. c. 4.

### CAP. X.

*The King's signet or privy seal shall not be sent in disturbance of the law.*

**I**TEM ordeyne est & estably qe lettres de signet ne du secre seal nostre seigneur le Roy ne soient desormes envoiez en damage ne prejudice de roialme nen destourbanche de la loye.

**I**TEM, it is ordained and established, That neither letters of the signet, nor of the King's privy seal, shall be from henceforth sent in damage or prejudice of the realm, nor in disturbance of the law.

Cro. El. 417.  
1 Anderl. 158.  
No seal of the King's shall be sent to prejudice the common law.  
9 H. 3. stat. 1. c. 29.  
1 Ed. 3. c. 8.

## C A P. XI.

*The keeping of assises in good towns, referred to the consideration of the chancellor and justices, &c.*

6 R. 2. c. 5.

The keeping of assises in good towns referred to the consideration of the chancellor and justices.

**I**TEM, whereas late in a statute made at Westminster, the sixth year of the King's reign that now is, amongst other things it was ordained, and accorded, that the justices assigned and to be assigned, to take assises, and deliver gaols, should hold their sessions in the chief and principal towns of every county, that is to say, where the shire courts of the same counties be, or hereafter shall be holden; (2) our lord the King considering how the said statute is in part prejudicial and grievous to the people of divers counties of England, will and grant of the assent aforesaid, at the request of the said commons, That the chancellor of England for the time being shall have power thereof to make and provide remedy by advice of the justices from time to time, when need shall be, notwithstanding the said statute.

*Et memorand' quod proclamatio istius statuti facta fuit in singulis comitatibus Anglie.*

**I**TEM come nadgairs en le statut fait a Westm' lan de regne nostre dit seigneur le Roy sime entre autres choses ordenez soit & accordez que justices assignez & assigners as assises prendre & gaols deliverer tendroient leur sessions en les principalx & chiefs villes de chescun contee cestassavoir la ou le contee de mesmes les contees soit ou en apres serroit tenuz nostre seigneur le Roi considerant coment le dit estatut si est en partie damageous & grevous as gentz du plusours contees dEngleterre voet & grante de lassent susdit al request des ditz communes que le chancellor dEngleterre pur le temps esteant ait poair dent mettre & faire remede par advys des justices de temps en temps quant mestier serra nient contreciteant lestatut avantdit.

*Statutes made at Cambridge, Anno 12 RICH. II. and Anno Dom. 1388.*

**F**OR the common profit and universal wealth of all the realm of England, our lord the King at his parliament holden at Canterbury the morrow after the nativity of our lady, the twelfth year of his reign, by the assent of the lords and commons there assembled, hath made certain statutes and ordinances in the form following.

**P**UR commune profit & universel bien de tout le roialme nostre seigneur le Roi a son parlement tenuz a Canteb' lendemayn de la nativite de nostre dame lan de son regne douzisme del assent des seignurs & communes illoeqs assemblez ad fait certains estatutz & ordenances en la forme qensuit.

## CAP. I.

*A confirmation of the liberties of the church, and of all former statutes not repealed.*

**P**rimement accordez est & assentuz qe seinte esglise it toutez les libertees & franchises & qe la Grande Chartre & la Chartre de la Foreste & par autres estatutz & ordeances avant ces heures faitz & nient repellez soient duement tenuz & fermement gardez.

**F**IRST, it is accorded and assented, That holy church have all her liberties and franchises, and that the Great Charter, and the Charter of the Forest, and all other statutes and ordinances made in times past, and not repealed, shall be duly holden and firmly kept.

A confirmation of the liberties of the church and of former statutes.

## CAP. II.

*None shall obtain offices by suit, or for reward, but upon desert.*

**I**TEM accordez est & assentuz qe le chancelier tresorer gardein du prive seal seneschal del hostel le Roy chambreyln du Roi clerke des roulees justices de lun bank & de autre barons de leschequer & outz autres qi seront appelez dor. einer nomer ou faire justices de la paix viscontz eschetours costumers contrerolours ou ascun autre officer ou ministre du Roi soient fermement jurrez & serrementez qils nordeinent noment ne facent justice de la paix viscont eschetour custumer contrerolour ne null autre officer ne ministre du Roi par null manere doun ne brogage favour affection ne qe null qe pursue par luy ou par autre en prive ou en apert destre en aucune manere office soit mys en mesme loffice ou en ascun autre einz qils facent toutz tielx officers & ministres de les plus bones & loialx & les plus sufficientz a leur escience & leur conscience.

**I**TEM, it is accorded, That the chancellor, treasurer, keeper of the privy seal, steward of the King's house, the King's chamberlain, clerk of the rolls, the justices of the one bench and of the other, barons of the exchequer, and all other that shall be called to ordain, name, or make justices of peace, sheriffs, escheators, customs, comptrollers, or any other officer or minister of the King, shall be firmly sworn, that they shall not ordain, name, or make justice of peace, sheriff, escheator, customer, comptroller, nor other officer or minister of the King, for any gift or brocage, favour or affection; (2) nor that none which pursue by him, or by other, privily or openly, to be in any manner office, shall be put in the same office, or in any other; (3) but that they make all such officers and ministers of the best and most lawful men, and sufficient to their estimation and knowledge.

None shall obtain offices by suit or for reward, but by desert.

Co. Lit. 34. a.  
5 & 6 Ed. 6.  
c. 16.

## C A P. III.

*No servant shall depart from one hundred to another, without a testimonial under the King's seal, on pain of being set in the stocks.*

Ex edit. Raft.  
Artificers.  
Justices of  
peace.  
Mayors.  
Constables.  
Stocks.  
Labourers.

Letter.

Seal.

Bailiffs.  
Stewards.

**I**TEM, it is accorded and assented, That all the statutes of artificers, labourers, servants and victuallers, made as well in the time of our sovereign lord the King that now is, as in the time of his noble grandfather (whom God affoil) not repealed, shall be firmly holden and kept, and duly executed. And that the said artificers, labourers, servants and victuallers be duly justified by the justices of peace as well at the suite of the King as of the party, according as the said statutes require. And that the mayors, bailiffs, and stewards of lordes, and constables of towns, do duly their offices touching such artificers, servants, labourers and victuallers. And that a pair of stocks be in every town to justify the same servants and labourers as is ordained in the said statutes, And moreover it is ordained and assented, That no servant nor labourer be he man or woman, shall depart at the end of his term out of the hundred, rape, or wapentake where he is dwelling, to serve or dwell elsewhere, or by colour to go from thence in pilgrimage, unless he bring a letter patent containing the cause of his going, and the time of his return, if he ought to return, under the King's seal, which for this intent shall be assigned and delivered to the keeping of some good man of the hundred, rape, wapentake, city, or borough, after the discretion of the justices of peace to be kept, and lawfully to make such letters when it needeth, and not in any other manner, by his own oath. And that about the same seal there shall be written the name of the county and overthwart the said seal, the name of the hundred, rape, or wapentake, city or borough. And also if any servant or labourer be found in any city or borough or elsewhere coming from any place, wandering without such letter, he shall be mantenant taken by the said mayors, bailiffs, stewards or constables, and put in the stocks, and kept till he hath found surety to return to his service, or to serve or labour in the town from whence he came, till he have such letter to depart for a reasonable cause. And it is to be remembered, that a servant or labourer may freely depart out of his service at the end of his term, and to serve in another place, so that he be in a certainty with whom, and shall have such a letter as afore: *but the meaning of this ordinance is not, that any servants, which ride or go in the business of their lords or masters, shall be comprised within the same ordinance for the time of the same business.* And if any bear such letter, which may be found forged or false, he shall have imprisonment of xl. days for the falsity, and further till he hath found surety to return or serve or labour as before is said. And that none receive servant or labourer going out of their hundred, rape, or wapentake, city, or borough, without letter testi-

tionial, nor with letter testimonial, above one night, *except it be for use of sickness or other cause reasonable*, or which will and may serve and labour there by the same testimonial, upon a pain to be limited by the justices of peace. And that as well artificers and people of mystery, as servants and apprentices, which be of no great avoyr, and of which craft or mystery a man hath no great need in harvest time, shall be compelled to serve in harvest, to it, gather, and bring in the corn. And that these statutes be fully executed by mayors, bailiffs, and constables of towns, upon pain to be limited and judged by the said justices of peace in their sessions. And that no man take above a penny for the making, sealing, and delivering of such letter.

Rep. 5 Eliz.  
c. 4. & 21 Jac. 1.  
c. 28.

#### CAP. IV.

*The several penalties for giving or taking more wages than is limited by statute.*

ITEM, *because that servants and labourers will not, nor by a long season, would serve and labour without outrageous and excessive hire, and much more than hath been given to such servants and labourers in any time past, so that for scarcity of the said servants and labourers, the husbands and landtenants may not pay their rents, nor hardly live upon their lands, to the great damage and loss as well of the lords as all the commons: also because that the hires of the said servants and labourers have not been put in certainty before this time: It* accorded and assented that the bailiff for husbandry shall take by year xiii. s. iii. d. and his clothing once by year at the most. The master hine x. s. the carter x. s. the shepherd x. s. the oxherd vi. s. viii. d. the cowherd vi. s. viii. d. the swineherd vi. s. a woman labourer vi. s. a dey vi. s. a driver of the plough vii. s. at the most. And every other labourer and servant according to his degree, and less in the country where less was wont to be given without clothing, courtesie, or other reward by covenant. And that no servant of artificer nor victualler within city, borough, or other town, shall take more than the servants and labourers above named after their estate, without vesture, courtesie, or other reward by covenant as is aforesaid, and if any give or take by covenant more than is above specified, at the first time that they shall be thereof attainted, as well the givers as the takers, shall pay the value of the excess so given or taken, and at the second time of their attainder, the double value of such excess, and at the third time the treble value of such excess, and if the taker so attainted have nothing whereof to pay the said excess, he shall have forty days imprisonment.

Ex edit. Rast.

Servants.

4 H. 5. c. 4.  
4 H. 8. c. 5.  
Rep. 5 Eliz.  
c. 4. & 21 Jac. 1.  
c. 28.

#### CAP. V.

*Whosoever serveth in husbandry until twelve years old, shall so continue.*

ITEM, it is ordained and assented, That he or she, which use to labour at the plough and cart, or other labour or service of husbandry, till they be of the age of twelve years, that from

Ex edit. Rast.  
Servant at  
husbandry.



Rep. 5 Eliz.  
c. 4. & 21 Jac. 1.  
c. 28.

thenceforth they shall abide at the same labour, without being put to any mystery or handicraft. And if any covenant or bond of apprenticeship be from henceforth made to the contrary, the same shall be holden for none.

## C A P. VI.

*No servants in husbandry, or labourer, shall wear any sword, buckler, or dagger. Unlawful games prohibited.*

Servants of  
husbandry.

Bows.  
Arrows.  
Fenis play.  
Football.  
Swords.  
daggers.

**I**TEM, it is accorded and assented, that no servant of husbandry; or labourer, nor servant, or artificer, nor of vic-tualler, shall from henceforth bear any buckler, sword nor dagger, upon forfeiture of the same, but in the time of war for defence of the realm of *England*, and that by the surveying of the arrears for the time being, or travelling by the country with their master, or in their master's message, but such servants and labourers shall have bows and arrows, and use the same the *Sundays* and holydays, and leave all playing at tennis or football, and other games called coits, dice, casting of the stone, nails, and other such importune games. And that the sheriffs, mayors, bailiffs, and constables, shall have power to arrest, and shall arrest all doers against this statute, and seise the said bucklers, swords, and daggers, and keep them till the sessions of the justices of peace, and the same present before the same justices in their sessions. together with the names of them that did bear the same.

Rep. 21. Jac. 1.  
c. 28.

*And it is not the King's mind that any prejudice be done to the franchises of lords, touching the forfeitures due to them.*

## C A P. VII.

*The punishment of beggars able to serve, and a provision for impotent beggars.*

Beggars.

**I**TEM, it is accorded and assented, That of every person that goeth begging, and is able to serve or labour, it shall be done of him as of him that departeth out of the hundred in other places afore said, without letter testimonial as afore is said, except people of religion, and hermits having letters testimonial of their ordinaries, and that the beggars impotent to serve shall abide in the cities and towns where they be dwelling at the time of the proclamation of this statute, and if the people of cities or other towns will not or may not suffice to find them, that then the said beggars shall draw them to other towns within the hundreds, rape or wapentake, or to the towns where they were born, within xl. days after the proclamation made, and there shall continually abide during their lives, and that of all them that go in pilgrimage as beggars, and be able to travail, it shall be done as of the said servants and labourers, if they have no letters testimonial of their pilgrimage under the said seals. And that the scholars of the universities that go begging, have letters testimonial of their chancellor upon the same pain.

Pilgrimage.  
Scholars.  
Rep. 1 Ed. 6.  
c. 3. & 21 Jac. 1.  
c. 28.

## CAP. VIII.

*Travellers reporting they have been imprisoned beyond sea shall produce testimonials.*

**I**TEM, it is ordained and assented, That they that feign themselves men travelled out of the realm, and there to be imprisoned, shall bring letters testimonial of the captains where they were abiding, or of the mayors or bailiffs where they arrived. And the same mayors and bailiffs shall enquire of such people where and with whom they have dwelled, and in what place their dwelling is in *England*, and that the same mayors and bailiffs make them letters patents under the seal of their office, testifying the day of their arrival, and also witnessing where they have been, as they have said. And that the said mayors and bailiffs cause them to swear, that they shall hold their right way towards their country, except they have letters patents under the King's great seal to do otherwise. And if any such travelled man be found without such letter as afore is said, it shall be done of him as of the said servants and labourers, and also this ordinance shall be intended of men travelled, that go begging through the country after their arrival.

Letters testimonial.  
Mayors.  
Bailiffs.

Travelled man.

Rep. 21 Jac. 1.  
c. 28.

## CAP. IX.

*The statute of labourers shall be executed within cities and boroughs.*

**I**TEM, it is ordained and assented, That the ordinances aforesaid of servants and labourers, beggars, and vagabonds, shall hold place and be executed as well in cities and boroughs, as in other towns and places within the realm, as well within the franchises as without, and that the sheriffs, mayors, bailiffs, and keepers of the gaols shall be holden and charged to receive the said servants, labourers, beggars, and vagabonds, and to keep them in the prison in the form aforesaid, without letting to mainprise or in bail, and without fee or any other thing taking of them by themselves or by any other, as long as they be so imprisoned, or at their entry, or at their going forth, upon pain to pay an *C. s.* to our sovereign lord the King.

Servants.  
Sheriffs.  
Mayors.  
Bailiffs.  
Keepers of  
gaols.

Rep. 5 Eliz. c. 4.  
& 21 Jac. 1.  
c. 28.

## CAP. X.

*How many justices of peace there shall be in every county, and how often they shall keep their sessions.*

**I**TEM ordeinez est & assentuz qen chescun commission des justices de la paix ne soient assignez qe lys justices outre les justices d'assises & qe les ditz lys justices tiegnent leur sessions en chescun quartre del an au meyns & ce par trois jours si mestier soit sur peyne destre puniz solonc ladvys du con-

**I**TEM, it is ordained and agreed, That in every commission of the justices of peace, there shall be assigned but six justices, with the justices of assises, (2) and that the said six justices shall keep their sessions in every quarter of the year at the least, and by three days, if need be, upon pain

36 Ed. 3. c. 12.  
How many justices of peace shall be in every county, how often they shall keep their sessions, and what wages they shall have.

con-

to

to be punished according to the discretion of the King's council, at the suit of every man that will complain; (3) and they shall enquire diligently, amongst other things touching their offices, if the said mayors, bailiffs, stewards, constables, and gaolers have duly done execution of the said ordinances of servants and labourers, beggars and vagabonds, and shall punish them that be punishable by the said pain of an hundred shillings, by the same pain; and they that be found in default, and which be not punishable by the same pain, shall be punished by their discretion. (4) And every of the said justices shall take for their wages four shillings the day for the time of their said sessions, and their clerk two shillings, of the fines and amerciaments rising and coming of the same sessions, by the hands of the sheriffs. (5) And that the lords of franchises shall be contributory to the said wages, after the rate of their part of fines and amerciaments aforesaid. (6) And that no steward of any lord be assigned in any of the said commissions. (7) And that no association shall be made to the justices of the peace after their first commission. (8) And it is not the intent of this statute, that the justices of the one bench or of the other, nor the serjeants of the law, in case that they shall be named in the said commissions, shall be bound by force of this statute to hold the said sessions four times in the year, as the

conseil le Roy a suite de chef-cun que soy vorra pleindre & enquergerent diligealment entre autres choses touchantz leur offices si les ditz meirs baillifs seneschalx & conestables & auxint gaolers ont duement faitz execution des ditz ordonances & estatutz des servantz & laborers mendinantz & vagerantz & punissent ceuz qe sont punissables par la dite peyne de Cs. par mesme la peyne & ceuz qe sont trevez en defaut qi ne sont pas punissables par la dite peyne punissent par leur discretion. Et preigne chescun des ditz justices pur leur gage iiii. s. le jour par le temps de leur ditz sessions & leur clers deux s. le jour des fyns & americiamentz surdantz & provenantz de mesmes les sessions par les mayns des viscontz. Et qe les seignurs des franchises soient contributoirs as ditz gages solonc lasserant de leur part des fyns & americiamentz fuiditz. Et qe null seneschall de seigneur soit assigne en null des ditz commissions & qe null association soit fait as justices de la paix apres leur primer commission. Et nest pas l'entencion de cest estatut qe les justices de lun bank & de lautre ne les sergeantz de ley en cas qils soient nomez en les ditz commissions soient tenuz par force de cest estatut de tenir les ditz sessions quatre foitz par an come sont les autres commissionerz qe sont continuelment demourantz en pais mes qils le facent qant ils a ce poent bonement entendre.

The wages of the clerk of the peace.

No association of justices of peace.

13 R. 2. stat. 1. c. 7.

The judges and serjeants of the law shall not attend the sessions but when they may.

other commissioners, the which be continually dwelling in the country, but that they shall do it when they may best attend it.

C A P. XI.

*The punishment of him that telleth lies of the peers or great officers of the realm.*

**I**TEM come contenuz soit libien en lestatut de Westm' primer come en lestatut fait Glo' lan du regne nostre seigneur le Roi qore est second le null soit si hardy de controter dire ou conter aucune faux novell mensonge ou autre tiel aux chose des prelatz ducs counts barons & autres nobles & grantz du roialme & auxint le chancellor tresorer clerik du prive seal seneschal del hostel nostre seigneur le Roi justices de un bank & de lautre & daures grantz officers du roialme & qe le fra soit pris & empriones jesques autant qil eit trove celui dont la parole serra moevez accordez est & essentuz en cest parlement qe qant aucun del soit pris & imprifonez & ne poet trover celui dont le parole serra moevez come devant est lit qil soit puniz par advys du conseil nient contrestant les statutz avantditz:

**I**TEM, *whereas it is contained, as well in the statute of Westminster the First, as in the statute made at Gloucester, the second year of the reign of our lord the King that now is, that none be so hardy to invent, to say, or to tell any false news, lies, or such other false things, of the prelates, dukes, earls, barons, and other nobles and great men of the realm, and also of the chancellor, treasurer, clerk of the privy seal, the steward of the King's house, the justice of the one bench or of the other, and other great officers of the realm, (2) and he that doth so shall be taken and imprisoned, till he hath found him of whom the speech shall be moved: (3) It is accorded and agreed in this parliament; That when any such is taken and imprisoned, and cannot find him by whom the speech be moved, as before is said, that he be punished by the advice of the council, notwithstanding the said statutes:*

1 Inst. 227, 228.  
3 Ed. 1. c. 34.  
2 R. 2. stat. 1. c. 5.  
Dyer, 155, 285.  
4 Co. 12.  
Kel. 26.

The punishment of him that telleth lies of the prelates or great officers of the realm.

C A P. XII.

*In what cases the lords and spiritual persons shall be contributory to the expences of the knights of parliament.*

**I**TEM endroit de la levee des despenses des chivalers venantz as parlemantz pur les communes des countees accordez est & assentuz qe la dite levee soit faite come ad este use avant ces hures ajouste a ycell qe si aucun seigneur ou autre homme esprituel ou temporel eit purchacez ascuns terres ou tenementz ou autres possessions qi soleient estre contributoirs as tiels despenses devant le temps du dit purchacee qe mesmes les terres tenementz

**I**TEM, in the right of the levying of the expences of the knights coming to the parliaments for the commons of the counties, it is accorded and assented, That the said levying be made as it hath been used before this time; (2) joining to the same, that if any lord, or any other man spiritual or temporal, hath purchased any lands or tenements, or other possessions, that were wont to be contributory to such expences before the time of the said

Lords and spiritual persons purchasing lands contributory to the expences of the knights of the parliament.

purchase, that the said lands, tenements, and possessions, and the tenants of the same, be contributory to the said expences, as the said lands, tenements, and possessions were wont to do before the time of the same purchase.

mentz & possessions & les tenants dicelles soient contribu- toirs as dites despenses come les ditz terres tenementz & posses- sions & les tenants dicelles so- lient faire devant le temps de mesme la purchase.

4 Inst. 46.

### C A P. XIII.

*The punishment of them which cause corruption near a city & great town to corrupt the air.*

**I**TEM, For that so much dung and filth of the garbage and intrails as well of beasts killed, as of other corruptions, be cast and put in ditches, rivers, and other waters, and also within many other places, within, about, and nigh unto divers cities, boroughs, and towns of the realm, and the suburbs of them, that the air there is greatly corrupt and infect, and many maladies and other intolerable diseases do daily happen, as well to the inhabitants, and those that are conversant in the said cities, boroughs, towns and suburbs, as to other repairing and travelling thither, to the great annoyance, damage, and peril of the inhabitants, dwellers, repairers, and travellers aforesaid: (2) it is accorded and assented, That proclamation be made as well in the city of London, as in other cities, boroughs, and towns, through the realm of England, where it shall be needful, as well within franchises as without, that all they which do cast and lay all such annoyances, dung, garbages, intrails, and other ordure in ditches, rivers, waters, and other places aforesaid, shall cause them utterly to be removed, avoided, and carried away betwixt this and the feast of St. Michael next ensuing after the end of this present parliament,

The punish- ment of him who shall cast corruption in- to any place near a city or town.

**I**TEM pur ce que tantz des fimes & autres ordures des issues & entrailles sibien des bestes tuez come des autres corruptions sont gettez & mys en fosses ryvers & autres ewes & auxint plusours autres lieux dedeinz entour & pres diverses citees burghs & villes du roialme & les suburbs dicelles que laire illoques est grandment corrupt & infect & plusours maladies & autres diseases nient suffrables aveignent de jour en autre sibien a les inhabitantz & conversantz en dites citees burghs villes & suburbs come as autres illoques repairantz & passants a tresgrant anufance damage & peril des inhabitantz conversantz repairantz & passantz susdits. Accordez est & assentuz que proclamation soit fait sibien en la citee de Londres come en autres citees burghs & villes parmy le roialme ou il bu- soigne sibien deinz franchises come dehors que toutz ceux que tielx anufances fymes issues entrailles & autres ordures ont gettez & mys en fosses ryvers ewes & autres lieux susdites les facent outretement remuer ouster & emporter parentre cy & le fest de seint Michel prochain avenir apres le syn de cest parlement chefcun sur peyne de vynt livres appaiers

every

au

le Roy & qe les meirs & bailiffs de chelcun tiel citee burgh de ville & auxint les bailiffs des franchises les compellent de ce faire sur semblable peyne. Et si aucun soy sent greve qe ne soit parfait en manere adite & soy voet ent pleindre le chancelier apres le dit feste seint Michel eit brief de dire venir celui de qi il voet ent pleindre en la chancellarie y monstrier pur qoy la dite peyne ne ferra leve de luy & ne se poet ent duement exister soit mesme la peyne leve de luy. Et en outre soit proclamation faite sibien en la dite citee de Londres come en autres citees burghs & villes come desuis qe null de quel condition qil soit ne face mettre ou gettre desore en avant des anoesances issues fymes traillies & ordures en les foryvers ewes & autres lieux aditz & si null le face soit appelle par brief devant le chancelier a la suite de celui qe soyra pleindre & sil soit trovable soit puniz solonc la discretion del chaunceller.

every one upon pain to lose and to forfeit to our lord the King xx li. (3) And that the mayors and bailiffs of every such city, borough, or town, and also the bailiffs of franchises, shall compel the same to be done upon like pain. (4) And if any feel himself grieved, that it be not done in the manner aforesaid, and will thereupon complain him to the chancellor after the said feast of St. Michael, he shall have a writ to make him of whom he will so complain to come into the chancery, there to shew why the said penalty should not be levied of him. (5) and moreover, proclamation shall be made, as well in the city of London, as in other cities, boroughs, and towns as afore, that none of what condition soever he be, cause to be cast or thrown from henceforth any such annoyance, garbage, dung, intrails, nor any other ordure into the ditches, rivers, waters, and other places aforesaid; (6) and if any do, he shall be called by writ before the chancellor, at his suit that

Chief officers of towns shall compel offenders to redress their annoyances.

F.N.B. 176.B.  
185.D.

he shall complain; and if he be found guilty, he shall be punished at the discretion of the chancellor.

#### CAP. XIV.

*confirmation of the statute of 47 EDW. III. cap. 1. touching the length and breadth of cloths.*

TEM, it is ordained and assented, That the cloths of ray, and coloured cloths, to be made and wrought at Bristol, and the counties thereabout, shall be of the measure another be ordained by a statute made at Westminster, the xlvi. year of King EDWARD, grandfather of our sovereign lord the King it now is, that is to say, the cloths of ray of the length of viii. yards of length measured by the list, and v. quarters of breadth, and that the coloured cloth be of xxvi. yards of length measured by the back, and vi. quarters of breadth at the least, and at the half cloth, be it of ray or of colour, contain in length at the rate, and in breadth as the cloths of ray and colour, upon the pain contained in the same statute.

Ex edit. Rast.

Cloths of ray.  
Coloured cloth.  
Rep. by 5 & 6 Ed. 6. c. 6.  
43 Eliz. c. 10. & 4 Jac. 1. c. 2.

## CAP. XV.

*He that will go out of the realm to provide a benefice within the realm, shall be out of the King's protection, and the benefice shall be void.*

Provision.

13 R.2. stat. 2.  
c. 2.

**I**TEM, that no liege man of the King, of what estate or condition that he be, great or little, shall pass over the sea, nor send out of the realm of *England*, by licence nor without licence, without special leave of the King himself, to provide or purchase for him benefice of holy church, with cure or without cure in the said realm, and if any do, and by virtue of such provision, accept by him or by any other, any benefice of the same realm, that at that time the same provisor shall be out of the King's protection, and the same benefice void, so that it shall be lawful to the patron of the same benefice, as well spiritual as temporal, to present to the same an able clerk at his pleasure.

## CAP. XVI.

*The staple shall be removed from Middleburgh to Calais.*

Staple.  
Alter'd by  
14 R.2. c. 1.

**I**TEM, it is ordained and assented, the staple be removed from *Middleburgh* to *Calais*, so that it shall be at *Calais* the first day of *December* next coming.

**R**EX vicecomiti Kancie salutem. Quedam statuta & ordinationes per nos de assensu magnatum & communitatum regni nostri Anglie in parlamento nostro apud Cantebrigg' in crastino nativitatis beate Marie Virginis ultimo preterito tento facta que tibi mittimus sub magno sigillo nostro in forma patentis tibi precipimus quod infra comitatum predictum in locis ubi magis expediens fuerit sine dilatione legi & publice ex parte nostra proclamari ac firmiter teneri & observari facias juxta formam statutorum & ordinationum predictorum. Et hoc subincumbenti periculo multatenus omittas.

T. R. apud Westm' xx die Novembri.

Confirmilia brevia diriguntur singulis vicecomitibus per Angliam & Johanni regi Castellæ & Legionis duci Lancastrie vel ejus cancellario in ducatu predicto.

**Statutes made at Westminster, Anno 13 RICH. II.  
stat. 1. and Anno Dom. 1389.**

**I**N the parliament holden at Westminster the Monday next after the feast of St. Hillary, the thirteenth year of the reign of King RICHARD the Second after the conquest, our lord the King, to the honour of GOD and holy church, and for the common profit of his liege people of his realm, of the assent of the prelates and lords

tempo-

**E**N ycest parlement tenué a Westm' Lundy prochain apres le fest de Seint Hiller le du regne nostre seigneur le Roy RICHARD second puis le conquest treszisme nostre dit seigneur le Roy al honneur de Dieu & de seint esglise & pur commune profit de ses liges de son dit roialme del assent des pre-

latz

atz seignurs temporeles & communes estantz el dit parlement ad ordeinez & establiz es choses desouz escriptz.

*temporal, and commons, being in the same parliament, hath ordained and established the things under-written.*

## CAP. I.

*The King's presentee shall not be received to a church full of an incumbent, until he hath recovered it by law.*

EN primes come ordeine soit par estatut fait lan du regne del aiel nostre seignur le Roy vint & quint qe a quelle heure qe le Roy ferra collation ou presentement a null benefice en autri droit qe le titre ar quoi il se fendra soit bien examine qil soit vray & a quelle heure qe avant juggement rendu le titre soit trove par bone information nient vray ne joust soit la collation ou presentement ent fait repellez & nient contrestant le dit estatut auns presentez du Roy par faourdes ordenairs sont institutz & inductz en benefices de seinte eglise sanz due processe les parties nient garniz ne appellez & aucun soit par enquestes meyns rais favourablement pris & incumbenz en tiele manere justez ordeinez est & assentuz & le dit estatut soit fermement tenuz & gardez. Et enouestre nostre seignur le Roi al reverence de Dieu & de seinte eglise voet & grante qe sil presente a aucun benefice qe soit plein dascun incumbent qe le presente du Roy ne soit receu par lordinair a tiel benefice tanqe le Roi eit recovere le presentement par proces du Roy en sa court demesne & si aucun presente du Roy soit autrement receu & lincumbent juste sanz due proces come dessus est dit comence le dit incumbent sa suite deinz un an pres linduction du presente du Roy a plustard.

**FIRST**, *whereas it is ordained by a statute made the xxv year of the reign of King EDWARD the grandfather of our lord the King that now is, That at what time that the King shall make collation or presentment to any benefice in another's right, that the title upon which he groundeth himself shall be well examined that it be true; (2) and at what time before judgment given, the title be found by good information untrue, and not just, the collation or presentment thereupon made shall be repealed: (3) and notwithstanding the same statute, some of the King's presentees, by favour of the ordinaries be instituted and induced in benefices of holy church without due process, the parties not warned nor called, and sometime taken by false inquests favourably, and the incumbents in such manner put out; it is ordained and assented, That the said statute be firmly holden and kept. (4) And moreover our lord the King, for the reverence of God and holy church, doth will and grant, That if he present to any benefice that is full of any incumbent, that the presentee of the King shall not be received by the ordinary to the benefice, till the King hath recovered his presentment by process of the law in his own court: (5) and if any presentee of the King be otherwise received, and the incumbent put out without due process, as a-*

4 Inst. 51.  
1 Mod. 279.  
The statute of 25 Ed. 3. stat. 3. c. 3. confirmed, touching the examination of the King's title to a benefice when he presenteth in another's right.

When the King presenteth to a benefice full of an incumbent, his presentee shall not be received until he hath recovered by law.

25 Ed. 3. stat. 3. c. 3. & stat. 3. c. 7.  
4 H. 4. c. 22.



fore is said, the said incumbent shall begin his suit within a year after the induction of the King's presentee at the least.

## CAP. II.

*The authority of the constable of England, and the remedy where it is abused.*

4 Mod. 128.  
Crompt. Jurif-  
diction, 28.

**I**TEM, because that the commons do make a grievous complaint, that the court of the constable and the marshal hath incroached to him, and daily doth incroach contracts, covenants, trespasses, debts, and detinues, and many other actions pleadable at the common law, in great prejudice of the King and of his courts, and to the great grievance and oppression of the people; (2) our lord the King, willing to ordain a remedy against the prejudices and grievances aforesaid, hath declared in this parliament, by the advice and assent of the lords spiritual and temporal, the power and jurisdiction of the said constable, in the form that followeth: To the constable it pertaineth to have cognisance of contracts touching deeds of arms and of war out of the realm, and also of things that touch war within the realm, which cannot be determined nor discussed by the common law, with other usages and customs to the same matters pertaining, which other constables heretofore have duly and reasonably used in their time; (3) joining to the same, that every plaintiff shall declare plainly his matter in his petition, before that any man be sent for to answer thereunto. And if any will complain, that any plea be commenced before the constable and marshal, that might be tried by the common law of the land, the same plaintiff shall have a privy seal of the

The authority of the constable of England, and wherein it consisteth.

The remedy where the constable and marshal shall hold plea of any thing determinable by the common law.

3 Shower, 353.

**I**TEM pur ce que la commune fest grevouement complainte que la court del conestable & mareschall ad accroche a luy & accroche de temps en temps contractz covenantes trespasses dettes & detenues & plusieurs autres actions pleadables par la commune ley en grant prejudice du Roy & de ses courtes & a grant grevance & oppression due poeple nostre seigneur le Roy voillent ordeigner remede encontre les prejudices & grevances suifditz ad declare en cest parlement par advys & assent des seignurs espriteles & temporeles le poair & jurisdiction du dit conestable en la fourme qensuit: al conestable appartient davoit conissance des contractz tochantz fait darmes & de guerre hors du roialme & auxint des choses que touchent armes ou guerre deinz le roialme queux ne poent estre terminez ne discuss par la commune ley ove autres usages & custumez a ycelles matires appartenantz queux autres conestables devant ore ont duement & resonablement usez en lour temps ajouttant a ycell que chescun pleintiff declare pleinement sa matire en sa petition avant que soit envoi pur ascun homme a resondre a ycell. Et si ascun soi voet pleindre quascun plee soit commence davant le conestable & mareschall que purroit estre trie par commune ley de la terre eit cell pleintif brief de privee seal du Roi sanz difficulte direct as ditz conestable & mareschal

King

eschal de surfeer en celle plee  
anquil soit discus par le con-  
cil du Roi si celle matire doit  
e droit appartiegner a celle  
ourte ou autrement estre trie  
ar la commune ley du ro-  
lme & qils surseent en le mesme  
emps.

King without difficulty, di-  
rected to the said constable  
and marshal, to surcease in  
that plea, until it be discussed  
by the King's council, if that  
matter ought of right to pertain  
to that court, or otherwise to  
be tried by the common law of  
the realm of *England*, and al-  
so that they surcease in the  
mean time.

28 Ed. 1. stat. 3.  
c. 3.  
8 R. 2. c. 5.  
33 H. 8. c. 12.

CAP. III.

*The limits of the steward's and marshal's court of the King's house.*

ITEM accordez est & assen-  
tuz qe la court de seneschall  
e mareschall de hostiell du  
Roy ne la jurisdiction dycelle  
e passe le space de douze le-  
ues a counters entour le tenell  
du Roi.

ITEM, it is accorded and af-  
sented, That the court of  
the steward and marshal of the  
King's house, nor also the ju-  
risdiction thereof, shall not pass  
the space of twelve miles, to be  
counted from the lodging of  
our said lord the King.

The limits of  
the steward  
and marshal's  
court.

F. N. B. 241. B.  
1 Bulltr. 209.

CAP. IV.

*The duty of a clerk of the market of the King's house.*

ITEM a la requeste de la  
dite communalte ordeinez  
& assentuz qe le clerc del  
marche del hostiell nostre seign-  
ur le Roy face bien & due-  
ment son office & qe toutes  
auxes mesures & pois soient  
pris solonc la fourme del esta-  
t & qe le dit clerc ne preigne  
null commune fyn mes qe che-  
cun persone qest trove en de-  
aut tochant le dit office soit  
puniz solonc son desert & qil  
e chivache mes ove fys chi-  
valx au plus & qil ne demurge  
en nulle ville nautre lieu plus  
qe la necessite de son fait de-  
mande & sil face riens a con-  
trair de cest estatut & ent soit  
luement conviectz paie au Roy  
al primer foitz qil serra issint  
conviect cent souldz & al second  
foitz dys livers & al tierce foitz  
vint livers.

ITEM, at the request of the  
said commons it is ordain-  
ed and assented, That the clerk  
of the market of the King's  
house shall do his office well  
and duly; (2) and that all false  
measures and weights shall be  
burned after the form of the  
statute; (3) and that the said  
clerk take no common fine,  
but that every person which is  
found in default touching the  
same office, be punished accord-  
ing to his desert, and that he  
shall not ride but with six hor-  
ses at the most, and that he  
shall not tarry in any town nor  
other place longer than the ne-  
cessity of his business shall re-  
quire; and if he do any thing  
contrary to this statute, and be  
thereof duly conviect, he shall  
pay to the King at the first  
time that he shall be conviect,  
an Cs. and at the second time  
x l. and at the third time xx l.

The duty of  
the clerk of  
the market of  
the King's  
house.

4 Inst. 274.  
16 Car. 1. c. 19.

## CAP. V.

*With what things the admiral and his deputy shall meddle.*

Enforced  
2 H. 4. c. 11.  
1 Inst. 266.  
4 Inst. 135.  
22 Co. 104.  
13 Co. 42, 52.  
Hob. 11, 79;  
196, 212.  
2 Bulltr. 323.  
3 Bulltr. 205.  
Dyer, 159.  
4 Mod. 176.  
Salk. 31.

With what things only the admiral and his deputy shall meddle.

§ 5 R. 2. c. 3.

**I**TEM, forasmuch as a great and common clamour and complaint hath been ostentimes made before this time, and yet is, for that the admirals and their deputies hold their sessions within divers places of this realm, as well within franchise as without, accroaching to them greater authority than belongeth to their office, in prejudice of our lord the King, and the common law of the realm, and in diminishing of divers franchises, and in destruction and impoverishing of the common people; (2) it is accorded and assented, That the admirals and their deputies shall not meddle from henceforth of any thing done within the realm, but only of a thing done upon the sea, as it hath been used in the time of the noble prince King EDWARD, grandfather of our lord the King that now is.

**I**TEM, pur ceo qe grant & commune clamour & plect ont este sovent faitz devant ces heures & unquore sont de ce qe les admirals & leur deputies tiegnent leur sessions en diverses places deinz de roialme sibiens dienz franchises come dehors accrochantz a eux plus grant poair qe a leur office appartient en prejudice de nostre seignur le Roy & la commune ley du roialme & grant emblemissement des plusieurs diverses franchises & en destruction & empoverissement del commune poeple accordez & assentuz qe les admirals & leur deputies ne soi mellent desore enavant de null chose fait deinz le roialme mes soulement de chose fait sur le meer solonc ceo qad est dument use el temps du noble Roy EDWARD, aiel nostre seignur le Roy qor est.

## CAP. VI.

*How many serjeants at arms there shall be, and with what things they shall meddle.*

There shall be but 30 serjeants at arms, who shall meddle with nothing but touching their offices.

**I**TEM, at the grievous complaint made by the commons to our lord the King in this parliament, of the excessive and superfluous number of serjeants at arms, and of many great extorsions and oppressions done by them to the people; (2) the King therefore doth will, that they shall all be discharged, and that of them and other there shall be taken of good and sufficient persons to the number of thirty, and no more from henceforth. (3) And moreover the King prohibiteth them to meddle with any thing that toucheth not their office; (4) and that they

**I**TEM a la grevous complaint de la comunalte fait a nostre seignur le Roi en cest parlement del excessive & outrageous nombre des serjeants darmes & de plusieurs grants extorsions & oppressions par eux faitz au poeple le Roy voet qils soient trestoutz deschargez & qe de eux & de autres soient reprises bones & sufficientes personnes tanquel nombre de trent sanz plus desore enavant. Et en outre le Roy defende qils ne soi mellent de riens qe ne touche leur office & qils ne facent null extorsion ne oppression al poeple sur

r peine de perdre leur office de faire fyn & raunceon a la plunte du Roy & pleine gree la partie.

they do no extortion nor oppression to the people, upon pain to lose their office, and to make a fine and ransom at the King's pleasure, and full satisfaction to the party.

## CAP. VII.

*That sort of persons shall be justices of peace, and what their charge is to do.*

ITEM come contenuz soit en lestatut darrein fait a Cantebriegg qe null seneschall ou seigneur soit assigne en commission du justice de la pees sentmeins pur certains causes nonstrez en cest parlement accordez est & assentuz qe justices de la pees soient faitz de jovell en toutz les countees d'Engleterre de les pluis sufficientz chivalers esquiers & gentz de ley des ditz countees nient constreinte le dit estatut & qe les ditz justices soient grementez de duement & sanz favour garder & mettre en execution toutz les estatutz & ordonances touchantz leur offices.

ITEM, whereas it is contained in the last statute made at Canterbury, that no steward of any lord shall be assigned in the commission of the justice of peace; nevertheless for certain causes shewed in this parliament, it is accorded and assented, That justices of peace shall be made of new in all the counties of England, of the most sufficient knights, esquires, and gentlemen of the law of the said counties, notwithstanding the said statute; (2) and that the said justices be sworn duly without favour to keep and put in execution all the statutes and ordinances touching their offices.

What sort of persons shall be justices of peace, and what their charge is to do.

1 Ed. 3. stat. 1.  
c. 16.  
4 Ed. 3. c. 2.  
12 R. 2. c. 1.  
2 H. 5. c. 4.  
18 H. 6. c. 11.

## CAP. VIII.

*The rates of labourers wages shall be assessed and proclaimed by the justices of peace, and they shall assess the gains of victuallers. Who shall make horsebread, and the weight and price thereof.*

ITEM ordeinez est & assentuz qe les estatutz & ordonances faitz al parlement darrein tenuz a Cantebriegg sibien de servantz laborers artificers & vitailers come de toutes autres choses horspris l'exception en le profchein article par de suis touchant justices de la pees & auxint toutz autres estatutz & ordonances faitz devant ces heures & nient repellez soient fermement gardez & duement executez. Mes pur ce qe homme ne purra mye mettre en certain

ITEM, it is ordained and assented, That the statutes and ordinances made in the last parliament holden at Canterbury, as well of servants, labourers, artificers, and victuallers, as of all other things, saving the exception of the next article before touching justices of peace, and also all other statutes and ordinances made before this time, and not repealed, shall be firmly kept, and duly executed. (2) But forasmuch as a man cannot put

12 R. 2. c. 9.

The rate of artificers and labourers wages.  
5El.c.4.

put the price of corn and other victuals in certain, it is accorded and assented, That the justices of peace in every county, in two of their sessions to be holden betwixt the feast of *Easter* and *St. Michael*, shall make proclamation by their discretion according to the dearth of victuals, how much every mason, carpenter, tiler, and other craftsmen, workmen, and other labourers by the day, as as well in harvest as in other times of the year, after their degree, shall take by the day with meat and drink, or without meat and drink, between the two sessions before said, notwithstanding the statutes thereof heretofore made, and that every man obey to such proclamations from time to time as a thing done by statute. (3) And in the right of victuallers it is accorded, That they shall have reasonable gains, according to the discretion and limitation of the said justices, and no more, upon pain to be grievously punished according to the discretion of the said justices, where no pain is limited in certain before this time. (4) And that sheriffs, stewards of lords of franchises, mayors, and bailiffs, and all other that have assise of bread and ale to keep, and the correction of the same, shall take no amerciamment or fine for any default touching the assise, for the which a man or woman by the law ought to have bodily punishment, according as it is another time ordained by statute; but they shall judge them to the same bodily punishment, as the offence requireth, and shall do execution thereof. (5) And that mayors, bailiffs, and

certein les pris des blez & autres vitailles accordez est et assentuz qe les justices de la pees en chescun countee en lour sessions tenuz entour le Pasqe & le seint Michel facent proclamation par lour discretion solonc la chierte de vitailles combien chescun mason carpentre teguler & autres artificers & overours & auxint labourers par journées sibien en aust come en autre temps del an solonc lour degre prendra le jour ove manger & boire ou sanz manger & boire entre les deux seisons susdites nient costrestant les estatutz ent faitz devant ces heures & qe chescun obeie a tielx proclamations de temps en temps come a chose fait par estatut. Et en droit des vitailers accordez est qils eient resonable gaigne solonc la discretion & limitation des ditz justices & nient pluis sur peine destre grevousment puniz solonc la discretion des ditz justices la ou peine nest pas limite en certain des ditz vitailers devant ces heures. Et qe viscontz seneschalx des seignurs de franchises mairs & bailiffs & toutz autres qont lassise de pain & de cervoise agarder & la correction dicell ne preignent null amerciamment ne fyn pur null default touchant la dite assise pur quell homme ou femme par la ley avera penance corporele solonc ce qest autrement ordeigne par estatut mes les ajugent a mesme la penance corporel come le default requert & facent ent du execution. Et qe mairs & bailiffs & seneschalx des franchises & toutz autres qont la garde & surveve des vitailles es citees burghs villes merchandes & aillours ou vitails sont venduz parmy le roialme

Victuallers gains shall be reasonable.  
Cro. Jac. 609.  
2 Keb. 277.  
23 Ed. 3. c. 6.  
12 Ed. 4. c. 8.

Victuallers punishment.  
51 H. 3. stat. 1.

oialme mettent lestatut fait lan  
 ynt & tierce du regne le Roy  
 & aiel le Roi qoreft qe co-  
 nence *Quia maxima pars populi*  
 ochant lestat des vitailleurs &  
 hostillers & autres vendours  
 les vitailles en due execution.  
 Et qe null hostiller face payn  
 pur chivalx en son hostell nail-  
 ours mes facent les pestours  
 & soit lassay ent fait qe le pois  
 soit resonable solonc le pris des  
 bledz qe soit en marche & qe  
 mesmes les hostillers vendent  
 feyn & aveyns a resonable pr s  
 issint qils ne preignent pur le  
 buffel forsque un maill outre le  
 commune pris en marche.

and that the weight be reasonable after the price of the corn in the market; (8) and that the same hostellers shall sell hay and oats after a reasonable price, so that they take not for the bushel but one halfpenny over the common price of the market.

and stewards of franchises, and all other that have the order and survey of victuals in cities, boroughs, merchant towns, and elsewhere, where victuals be sold in the realm, shall put the statute made the twenty third year of the reign of King EDWARD, grandfather to the King that now is, which beginneth, *Because a great part of the people*, touching the estate of victuallers and hostellers, and other sellers of victuals in due execution. (1) And that no hosteller make horse-bread in his hoftry nor without, but bakers shall make it; (7) and the assise thereof shall be kept,

Horfe-bread.

4H.4.c.25.  
32H.8.c.41.

Repealed by  
21 Jac. 1. c. 21.  
& 28.

### CAP. IX.

*There shall be but one weight and one measure throughout the realm, saving in the county of Lancaster. The weight of wool, and the refuse thereof.*

ITEM ordeignez est & ac-  
 cordez qe une mesure & un  
 pois soit parmy tout le roialme  
 dEngleterre come en la Grant  
 Chartre & autres ordenances  
 & estatutz en faitz est conte-  
 nuz plus au plein. Et qe che-  
 seun qe soit conviēt qil ad ou  
 use autre mesure ou pois eit la  
 prisone de demy an & face gree  
 al partie del double de sa per-  
 de forspris en le counte de Lan-  
 castre acause qen le dit counte  
 ad este de tout temps plus  
 grant mesure qe en aucun autre  
 partie du roialme. Et qe null  
 homme achate ne vende leyns  
 a plus haut pois qe a qua-  
 torize livres le pere sur peyne  
 de paier le double a celuy qe  
 soi sente greve & de faire fyn  
 &

ITEM, it is ordained and  
 accorded, That one mea-  
 sure and one weight be through  
 all the realm of *England*, as in  
 the Great Charter, and other  
 statutes and ordinances there-  
 of made, is more plainly con-  
 tained. (2) And every one  
 that shall be conviēt that he  
 hath or useth any other mea-  
 sure or weight shall have im-  
 prisonment of half a year, and  
 make recompence to the party  
 grieved to the double of his  
 loss, except it be in the coun-  
 ty of *Lancaster*, because in that  
 county it hath always been  
 used to have greater measure  
 than in any other part of the  
 realm. (3) And that none buy  
 or sell wool at more weight  
 than

There shall be  
 but one  
 weight and  
 one measure.

Except it be  
 in the county  
 of Lancaster.

Wool shall be  
 sold at 14lb.  
 to the stone.  
31 Ed. 3. stat. 1.  
c. 8.

Refuse of  
wools.

Wool shall not  
be bought by  
Good pack-  
ing;

nor be cocket-  
ed but in the  
owner's name.  
8 H. 6. c. 5.  
11 H. 7. c. 4.

Ex edit Pul.

Cogware and  
Kendal cloth  
may be made  
of such length  
and breadth  
as they have  
been.

25 Ed. 3. stat. 4.  
c. 1.  
47 Ed. 3. c. 1.  
12 R. 2. c. 14.  
5 & 6 Ed. 6.  
c. 6.  
43 Eliz. c. 10.  
Rep. 4 Jac. 1.  
c. 2.

than at fourteen pounds the stone, upon the pain to pay the double to him that seeleth him grieved, and to make fine and ransom to the King after the quantity of the trespass. (4) And that no denizen nor foreigner make any other refuse of wools, but cot, gare, and villein. (5) And that no merchant nor other man buy his wools by these words, *Good packing*, nor by like words, upon pain, that is to say, the broker to have imprisonment of half a year, and the buyer to make a fine to the King after the quantity of the trespass, and the party that seeleth him grieved, shall have double damages of that which he hath suffered by the said occasion.

(6) And that none shall make wools to be cocketed, but in the name of him to whom the wools be, upon pain of forfeiture of the same, as it hath been another time ordained by statute.

### C A P. X.

#### *The length and breadth of Cogware and Kendal cloth.*

**I**TEM, although it be ordained by divers statutes, that all manner of cloths of ray and of colour shall be of a certain length and breadth comprised in the same statutes, nevertheless, for as much as it hath been a common custom to make certain cloths in divers counties of *England*, called *Cogware* and *Kendal* cloth, of the breadth of three quarters of a yard, whereof some be of the price of xl d. and some of v s. and sold to cogmen out of the realm, and also to poor and mean people within the realm, of the which cloths a great part is made of the worst wool within the realm, that cannot well serve for any other cloths: (2) it is accorded and assented, That from henceforth it shall be lawful to every man to make such manner of cloths of the length and breadth as it hath been used before this time, notwithstanding any statute made to the contrary. (3) Provided always, that the makers and workers of such cloths shall not make them of any better wool than they were wont to do. (4) And also it is assented, That all such cloths as be arrested by force or colour of the said statutes or any of them, shall be discharged and redelivered.

& ranceon au Roi solonc la quantite du trespass. Et que null deinzsein ou forein ne face autre refus de leynes sinoun cod gard & vilein. Et que null merchant nautre homme achate ses leynes par celles paroles *Good pakkyng* ne par autres paroles semblables sur peine cestaffavoir le brogour davor lemprisonement de demy an & lachatour de faire fyn au Roi solonc la quantite du trespass & la partie que soi sente greve en la double des damages qil ad suffert par la dit enchefon. Et que nully face coketter leynes forsque en le noun de celuy a qi les leynes sont sur forfaiture diceselles sicome autrefois ordenez fuist par estatut.

## CAP. XI.

*The cloths of certain counties tacked and folded shall not be put to sale before they be opened.*

**I**TEM pur ce que diverses playnes draps que sont oveez en les countees de Somers' Dors' Bristol & Glouc' sont tachez & enrollez ensemble & mys a vendre des queux draps grantz parties sont dirumpez & debruses & desaccordant en colour ne ne sont pas accordantz en laeure nen null manere as parties de mesmes les draps que sont monstrez pardehors mes sont fausement oveez de diverses leynes a grantz deceite perde & damages du poeple en tant que les merchantz que achatent les ditz draps & les amesment hors du roialme pur vendre as foreins sont plusours foitz en point destre mortz & ascuns foitz emprisonnez & mys au fyn & ranceon par les ditz foreins & lour ditz draps ars ou forfaitz acause del grant deceite & faucine que sont trovez en mesmes les draps qant ils sont destaches & overts a grant desclandre du roialme ordeines est & assentus que null playn drap tache ne rouille soit mys a vendre deins les dits countees eins qils soient overts sur peine de forfaiture dicelles issint que les achatours les puissent veer & conustre come il est use en le counte d'Essex & que les overours textours & fullours mettent lour signes a chefcun drap qils overont sur certeine peine a limiter par les justices de la pees & que ceste ordinance comence a tenir lieu al fest de Seint John le Baptistre prochain avenir. Purveus toutefois que apres ce que les merchants ont achates les dits draps

**I**TEM, forasmuch as divers plain cloths that be wrought in the counties of Somerset, Dorset, Bristol, and Gloucester, be tacked and folded together, and set to sale, of the which cloths a great part be broken, bruised, and not agreeing in the colour, neither be according in breadth, nor in no manner to the part of the same cloths shewed outwards, but be falsly wrought with divers wools, to the great deceit, loss, and damage of the people, in so much that the merchants that buy the same cloths, and carry them out of the realm to sell to strangers, be many times in danger to be slain, and sometime imprisoned, and put to fine and ransom by the same strangers, and their said cloths burnt or forfeit, because of the great deceit and falshood that is found in the same cloths when they be untacked and opened, to the great slander of the realm of England; (2) it is ordained and assented, That no plain cloth tacked nor folded shall be set to sale within the said counties, but that they be opened, upon pain to forfeit them, so that the buyers may see them, and know them, as it is used in the county of Essex; (3) and that the workers, weavers, and fullers shall put their seals to every cloth that they shall work, upon a certain pain to be limited by the justices of the peace; and that this ordinance begin to hold place at the feast of Saint John Baptist next following. (4) provided always, That after the merchants have bought the same cloths to carry, and do carry them out of the

The inconveniencies ensuing the carrying over of tacked and deceitful cloth.

No plain cloth tacked or folded made in certain counties shall be put to sale before they be opened.



the realm, they may tack them and fold them at their pleasure, for the more easy carriage of them.

draps pur amefner & les amefnent hors du roialme les puissent tacher & rouller a leur volonte par le plus legier cariage dicelles.

## CAP. XII.

*No shoemaker shall be a tanner, nor tanner a shoemaker.*

Ex edit Raff.  
Shoemakers.  
Cordwainers.  
Tanner.

**I**TEM, for as much as divers shoemakers and cordwainers use to tan their leather, and sell the same falsely tanned, also make shoes and boots of such leather not well tanned, and sell them as dear as they will, to the great deceit of the poor commons: it is accorded and assented, That no shoemaker nor cordwainer shall use the craft of tanning, nor tanner the craft of shoemaking, and he that doth contrary to this act, shall forfeit to the King all his leather so tanned, and all his boots and shoes so wrought, and shall be ransomed at the King's pleasure, notwithstanding any charter or patent made to the contrary, which if there be any, the King will that they be utterly adnulled and holden for none.

4 H. 4. c. 35.  
Rep. 5 Eliz.  
c. 8. & 1 Jac. 1.  
c. 22.

## CAP. XIII.

*None shall hunt but they which have a sufficient living.*

3 Cro. 231.  
1 Vent. 103.  
5 Mod. 307.  
1 Salk. 212.  
Allen. 43.  
2 Bullstr. 60.

**I**TEM, forasmuch as divers artificers, labourers, and servants, and grooms, keep greyhounds and other dogs, and on the holydays, when good christian people be at church, bearing divine service, they go hunting in parks, warrens, and connigries of lords and asbers, to the very great destruction of the same, and sometime under such colour they make their assemblies, conferences, and conspiracies for to rise and disobey their allegiance;

None shall hunt but they who have sufficient living.

(2) it is ordained and assented, That no manner of artificer, labourer, nor any other layman, which hath not lands or tenements to the value of xl s. by year, nor any priest, nor other clerk, if he be not advanced to the value of xl. by year, shall have or keep from henceforth any greyhound, hound, nor other dog to hunt; (3) nor shall they use ferrets, heys, nets, harepipes, nor cords, nor other engines for to take or destroy deer, hares, nor conies; nor other gentlemen's game, upon

33 E. 2. ft. 5.

**I**TEM pur ceo qe diverses artificers & laborers & servants & garcions tiegnent levers & autres chiens & es jours de festes qant bones cristiens sont as eglises oians divine service vont chaceants es parkes garennes & conyngers des seignurs & autres a tresgrant destruction dicelles & a la foitz soutz tiel colour font leur assemblies et reparlances & conspiracies pur lever & desobeier a leur ligeance ordeignez est & assentuz qe null maner artificer ne laborer ne null autre lais homme qe nad terres & tenementz a la value de xl s. par an ne null prestre nautre clerc fil ne soit avance a la value de dis livres par an neit ne tiegne desore enavant null leverer ne lerce nautre chien pur chacer ne ne use furettes haies rees harepipes ne cordes ne nulles autres engynnes pur prendre ou destruire savagnie leveres ne conilles nautre deduit des gentils sur peine demprisonement dun

dun an & qe les justices du pees  
cient poair denquerre & enquer-  
gent de les trespasours celle  
partie & les punissent par la  
peine fuifdite.

upon pain of one year's impri-  
sonment; (4) and that the jus-  
tices of peace have power to  
enquire, and shall enquire of  
the offenders in this behalf, and  
punish them by the pain afore-  
said.

Justices of  
peace shall en-  
quire of and  
punish the of-  
fenders.

19 H. 7. c. 11.  
8 El. c. 15.

## C A P. XIV.

*There shall be no bonds of the double made in the exchequer  
for the King's debt.*

**I**TEM pur ce qe diverses  
reconissances & autres liens  
sont ore tard comencez & faitz  
en leschequer del double pur fu-  
rete des dettes & fermes nostre  
seignur le Roi autrement qe ne  
soleit estre fait en temps passe a  
tresgrant diseafe des plusours del  
people accordez est & assentuz  
par nostre seignur le Roi mes-  
mes & toutz les seignurs du  
parlement a la requeste de la  
communalte qe null tielle reco-  
nissance nautre lien del double  
soit fait ne pris en leschequer de-  
fore enavant & qe toutz tielles  
reconissances & autres liens qe  
sont faitz a present soient ou-  
tremement cancellez & annullez.  
Purveu toutfoitz qe le Roi eit  
sufficeante seurete de sa duite  
en manere accustume.

**I**TEM, forasmuch as divers  
recognizances and other bonds  
be now of late begun and made in  
the exchequer of double, for the  
surety of debts and fermes of our  
lord the King, otherwise than it  
was wont to be done heretofore, to  
the great hindrance of many of the  
people; (2) it is accorded and as-  
sented by our lord the King,  
and all the lords of the parlia-  
ment, at the request of the  
commons, That no such reco-  
gnizance nor other bond of  
the double be made nor taken  
in the exchequer from this time  
forth; (3) and that all such  
recognizances, and other bonds  
which be made at this present,  
be utterly cancelled and annul-  
led. (4) provided always, That  
the King have sufficient surety  
of his duty in the manner ac-  
customed.

There shall be  
no bonds made  
of the double  
in the exche-  
quer.

## C A P. XV.

*The King's castles and gaols shall be rejoined to the bodies of  
counties.*

**I**TEM ordeinez est & assen-  
tuz qe les chastelx & gaoles  
du Roi qe solcient estre jointz  
as corps des countees & sont  
ore desseverez soient rejointz a  
mesmes les countees.

**I**TEM it is ordained and  
assented, That the King's  
castles and gaols which were  
wont to be joined to the bodies  
of the counties, and be now  
severed, shall be rejoined to the  
saime counties.

Castles and  
gaols shall be  
rejoined to the  
bodies of  
counties.

## C A P. XVI.

*In what case a protection Quia profecturus; or Quia moraturus, is not allowable.*

**I**TEM, *because that many persons be delayed, as well in actions real as in actions personal, by protection with the cause of Volumus, for that many people, as well such as be not able to be retained in war, as other, by the testimonial of the governors of the marches, captains of garrisons, admirals, and other, do purchase divers protections with clause of Volumus, and with clause Quia profecturus, &c. after that a plea is commenced against them, rather to delay the same plea, than for the King's service, whereas plenty of other sufficient that be not impleaded, may be found to do the King's service in such case, and often do remain in the country without going to the said service, to the great damage of the pursuants, and disturbance of common right; (2) it is therefore ordained and assented, That no protection with clause of Profecturus be allowed in any plea, whereof the suit is commenced before the date of the protection, if it be not in a voyage that the King himself goeth, or other voyages royal, or in the King's messages for business of the realm, but they that be impleaded shall make their attorneys to answer for them in such pleas, or else they shall tarry themselves if they will. (3) Howbeit, it is not the intent of the making of this statute, but that the protection with clause Quia moraturus be allowed in all cases, as it hath been before this time: (4) and if any tarry in the country, without going to their service for the which he is retained, after*

**I**TEM pur ceo qe mouz des gentz sont delaiez sibien en action reale come en action personel par protection ove clause Volumus pur ceo que plusieurs gentz sibien tielx qe ne sont pas ables destre retemuz pur guerre come autres par testimoniance des gouverours des marches capitains des garnisons admirals & autres purchacent diverses protections ove clause de Volumus & ove clause Quia profectur' &c. apres qe ple soit comence envers eux pur delaier mesme le ple plus qe pur le service le Roi ou assez des autres sufficeantz qe ne sont pas empledez poent estre trevez pur servir le Roi en tiel cas & fivent demoerent en pais sanz aler a lour dit service a grant damage des pursuantz & en destourbanche de comune droit accordez est & assentuz qe null protection ove clause de profectur' ne soit allowe en null plee dont la suite soit comence devant la date de tiel protection si ce ne soit en viage en quelle le Roi mesmes passe ou autre viage roial ou es messages du Roi pur bufoignes du roialme mes facent tielx empledez lour attournes pur respandre pur eux en tielx plees ou demurgent mesmes sils voillent. Mes nest pas lentention de cest estatut mesqe protection ove clause quia moratur' soit allowe en toutz cas come ad este fait devant ces heures & si ascun demoerge en pais sanz aler a son service pur quel il soit retenu oultre temps covenable apres qil eit ascun protection ou repeire

In what case a protection Quia profecturus is not allowable.

Co Lit. 111.b.  
1 R. 2. c. 8.

The protection Quia moraturus.

Causes to repeal a protection.

e de mesme le service & le  
chancellor soit ent duement en-  
purme face repeller tielx pro-  
tections come ad este fait de-  
ant ces heures.

over a convenient time after  
that he hath any protection, or  
return from the same service,  
if the chancellor be thereof du-  
ly informed, he shall repeal  
such protection, as it hath been  
used before this time.

33 Ed. 1. stat. 1.  
stat. de pro-  
tectionibus.

### C A P. XVII.

*Where he in the reversion may be received in a suit commenced  
against the particular tenant.*

**T**EM pur ce que quant ten-  
nantz a terme de vie ten-  
nantz en dowere ou par la ley  
Engleterre ou en la taill apres  
possibilite dislue exteint soient  
impledez sont sovent de covyne  
le les demandantz qe les tene-  
mentz demandez envers eux  
sont recovrez & ne voillent  
prier en aide ne vouchier a gar-  
rant ceux en reversion mes ple-  
nent en chief tiel plee par ont  
ils savent bien qe les tenementz  
seront perduz en desheritance  
de ceux en reversion accordez  
est qe si ascun tiel tenant soit  
impledez & celuy en reversion  
seigne in court & prie destre  
receu a defendre son droit a  
ceur qe le tenant plede al acti-  
on ou devant soit receu a ple-  
ner en chief al action sanz as-  
cun delay prendre par vouchier  
aide prier nonnage ou autre de-  
lay qe conque issint qe apres tiel  
receit il neit null manere delaie  
par protection esson du service  
de Roi commune esson nautre  
delay qe conque mes soit la bu-  
saign hastie en tant come puisse  
estre par ley & qe jours de grace  
puissent estre donez par discre-  
tion des juges entre le demand-  
ant & celuy qest receu en tiel  
cas sanz doner commune jour  
in plee de terre si le deman-  
dant ne voille assenter au fyn  
qe les demandantz ne soient  
trop delaies par cause qe les  
sovent pleder ove deux adver-

**I**TEM, because that whente-  
nants for term of life, tenants  
in dower, or by the law of Eng-  
land, or in tail after possibility of  
issue extinct, be impleaded, they  
be often of the covin of the de-  
mandants, that the tenements de-  
manded against them shall be re-  
covered, and they will not pray in  
aid, nor vouch to warranty them  
in the reversion, but plead in chief  
such a plea whereby they know  
well the tenements shall be lost, in  
disherison of them in the reversion;

2 Leon. 62.

(2) it is accorded and assented,  
That if any such tenant be im-  
pleaded, and he in the rever-  
sion come into the court, and  
prayeth to be received to de-  
fend his right at the day that  
the tenant pleadeth to the acti-  
on, or before, he shall be receiv-  
ed to plead in chief to the acti-  
on, without taking any delay  
by vouchier, aid, prayer, nonage,  
or any other delay whatsoever,  
(3) so that after such receipt  
he shall have no manner delay  
by protection, essoin of the  
King's service, common essoin,  
nor any other delay whatsoever,  
but that the business shall be  
hasted in as much as it may be  
by the law; (4) and that days  
of grace be given by the dis-  
cretion of the judges between  
the demandant and him that is  
received in such case, without  
giving the common day in plea  
of land, if the demandant will

Where he in  
the reversion  
may be receiv-  
ed to defend  
his right in a  
suit commen-  
ced against his  
particular te-  
nant.

not assent, to the intent that the demandants be not too much delayed, because they must plead with two adversaries; (5) and in the right of pleas that be now depending in such case, they in the reversion shall be received in the manner aforesaid, at the next day that the parties have in court, although the same parties have pleaded in chief before this time.

He that prayeth to be received, shall find surety of the issues of the lands in demand.

so Ed. 1. stat. 3.

II. Provided always, That they in the reversion which pray to be received, as before is said, shall find surety of the issues of the tenements demanded for the time that the same demandants be delayed, after the said plea determined between the demandants and tenants, if the judgment pass for the demandant against them in the reversion aforesaid, as well where the receipt is counterpleaded, as where it is granted.

### CAP. XVIII.

*In which courts an attaint may be brought upon a false verdict given in Lincoln.*

**I**TEM, because that upon the grievous complaint of the reverend father in God the bishop of Lincoln, and the dean and chapter of the church of our lady in Lincoln, made by their petition to our lord the King, and the lords in this present parliament, the mayor and the bailiffs of the city of Lincoln, by the commandment of the King, and the assent of the lords, were enjoined and charged by writ to be before the King and his council in the same parliament at a certain day, with sufficient instruction and information of all the matter comprised in the same petition, with full power and authority, under the common seal of the said city, to answer for them, and the commonalty of the said

fairs. Et en droit des ptees que sont ore pendants en tel cas soient ceux en reversion receus en manere come devant est dit a prochein jour que les parties ont en court tout eient meismes les parties pledes en chief devant ces heures.

Purveu toutfoits que ceux en reversion que prient destre receus come devant est dit trouvent les retes des issues des tenements demandes pur le temps que meismes les demandants soient delaies apres le plee termine entre les demandants & les tenants si jugement passe pur le demandants envers ceux en reversion avautdits sibien la ou la receite soit contrepuede come la ou ele soit grante.

**I**TEM pur ceo que a la grevous complaint del reverent pier en Dieu levesque de Nicole & le dean & chapitre de lesglise de nostre dame de Nicole fait par lour petition a nostre seigneur le Roi & as seignurs en cest present parlement le mair & baillifs de la citee de Nicole par comandement du Roi & assent des seignurs furent comandes & charges par brief destre devant le Roi & son conseil en meisme la parlement a certain jour ove sufficient instruction & information de tout la matire compris en meisme la petition ove sufficient poair & auctorite desoutz le commun seal de la dite citee pur y respondre pur eum & la commune

nalte de mesme la citee sur toutes choses contenuz en mesme la petition & enoutré pur faire & recevoir ce qe par le Roi & son dit conseil serroit ordeiné en celle partie sur certaine peine limité el dit brief le tenour de quell petition contenant les grevances faitz as ditz evesque dean & chapitre par gentz de Nicole par colour de leur franchises estoit mande as mesmes les mair & baillifs clos deinz le brief avautdit et coment qe mesmes les mair & baillifs a jour contenuz en le dit brief viendrent devant le Roi & son dit conseil en le parlement susdit ils n'apporterent mye suffisteant garrant pur la communalte de la dite citee comme ils avoient en comandement par le dit brief et sur ce nostre dit seignur le Roi del assent des prelatz & des autres seignurs en mesme le parlement esteantz par default des avautdit mair & baillifs & communalte celle partie ad ptocedez & examinez la dit petition & les grevances contenuz en ycell. Et auxint pur ce qe commune elamour y ad qe plusours des liges le Roi ont suffert sovent diverses injurias en la dite citee acaufe qe des franks tenementz deins mesme la citee trespas contracts & autres choses fourdants deins mesme la citee triables par assise jurre ou enqueste ont este tries par gentz de mesme la citee & sont si favourables chescun a autre qils ne doutent gers faux serement & ce par cause qils sont si enbaudez par encheson qils nont pas estez devant ces heures par colour de leur franchise conviectz par foreins nostre seignur le Roi voillant pur les causes susditz purvoir pur la quiete du dite

*said city, upon all things contained in the same petition, and further to do and receive that which shall be ordained by the King and his council in that behalf, upon a certain pain limited in the same writ; the tenour of which petition, containing the grievances done to the said bishop and chapter by the people of the city of Lincoln, by colour of their franchise, was sent to the said mayor and bailiffs closed within the said writ; and though the said mayor and bailiffs, at the day contained in the same writ, came before the King and his council in the parliament aforesaid, yet they did not bring any sufficient warrant from the commonalty of the said city, as they had in commandment by the said writ; and upon that our said lord the King, by the assent of the prelates and other lords in the same parliament being, by default of the mayor, bailiffs, and commons aforesaid in that behalf, hath proceeded and examined the said petition, and the grievances therein contained: (2) and also because that a common clamour hath been, that many of the King's lieges often have suffered divers injuries in the said city, because in respect of freeholds within the same city, trespasses, contracts, and other things rising within the same city, triable by assise, jury, or inquest, have been tried by people of the same city, which be so favourable one to another, that they doubt not to make false oaths, and that because they be encouraged, forasmuch as they have not been before this time convicted by foreigners, by colour of their franchise: (3) our lord the King willing, for the causes aforesaid, to provide for the quietness of the said church, and full right to be done as*

The inconveniencies ensuing of partial trials of suits in Lincoln by the people only of the same city.

Upon a false verdict given before the mayor and bailiffs of Lincoln, an attain may be brought and tried by foreigners of the county.

3 H. 5. c. 9.  
Regist. 151.

well to the said bishop, dean and chapter, and their successors, as to all other in time coming, hath ordained and stablished in that behalf, that in assises, juries, and all other inquests that shall be taken between party and party, before the mayor and bailiffs of the same city for the time being, if any of the parties feel himself grieved of a false oath made by such assise, jury, or inquest, the attain shall be granted to him, and the record sent by writ into the King's bench, or into the commonpleas, (4) and that the sheriff impanel the jury of such attain of foreigners of the county, without sending to the franchise of the said city, and that the justices shall take the same jury of the same foreigners, notwithstanding any franchise granted to the same city, or other usage to the contrary.

dite esglise & plein droit estre fait sibi en as ditz evesque dean & chapitre & leur successeurs come a toutz autres en temps a venir celle partie ad ordeine & establi qen assises jurees & toutz autres enquestes qe seront pris entre partie & partie devant les mair & baillifs de la dite citee qe pur le temps seront si aucun des parties se pleint de faux serement fait par tiel assise jurre ou enqueste latteint luy soit grante & le record soit mande par brief en bank le Roi ou en commune bank & qe le viscont arraie en la jurre de tel atteinte des foreins du countee sanz mander a la franchise de dite citee & qeles justices prennent mesme la juree de mesmes les foreins nient contrestent aucune franchise grante au dite citee ou autre usage au contraire.

### CAP. XIX.

*A confirmation of stat. 13 EDW. I. stat. I. cap. 47. touching taking of salmons.*

4 Inf. 51.

A confirmation of the statute of the 13 Ed. 1. stat. 1. c. 47.

Touching the prohibiting of salmons to be taken certain times of the year.

There shall be no devices practised whereby the fry of fish shall be destroyed.

**I**TEM, *whereas it is contained in the statute of Westminster the second, that young salmons shall not be taken nor destroyed by nets, nor by other engines, at mill-dams, from the midst of April till the nativity of St. John Baptist, upon a certain pain limited in the same statute; it is accorded and assented, That the said statute be firmly holden and kept, (2) joyning to the same, That young salmons shall not be taken, during the said time, at mill-dams, nor in other places, upon the same pain. (3) And that no fisher, or garth-man, nor any other, of what estate or condition that he be, shall from henceforth put in the waters of *Thamise, Humber, Ouse, Trent,**

**I**TEM come contenuz foient en lestatut de Westm' second qe salmonceux ne soient prises ne destruitz par rees ne par autres engines a lestantes de molyns de mye April tanqal nativite de Seint Johan le Baptistre sur certeine peine limite en mesme lestatut accordez est & assentuz qe le dit estatut soit fermement tenuz & gardez adjouste a ycell qe salmonceux ne soient prises par le dit temps a lestantes des molyns ne aillours sur mesme la peine & qe null peschour ne garthman ne null autre de quell estat ou condition qils soit ne mette desore enavant en les ewes de *Thamise Humber Ouse Trent* ne null autre ewe du roialme par le

nor

le dit temps ne par null autre temps del an ascuns rees appellez stalkers noutres rees nenignes queconques par les quelles se frie ou brood des salmons lampreys ou dautre pesson queconque purra en ascun manere estre pris ou destruit sur la peine susdite. Et auxint come contenuz soit en mesme lestatut que toutz les ewes es queux salmons sont prises en le roialme soient mises en defens qant al prise des salmons del jour de la nativite de nostre dame tanquel jour de Seint Martyn ordeignez est & assentuz que les ewes de Lone Wyre Mersee Ribbill & toutz autres ewes el countee de Lancastre soient mises en defense qant al prise des salmons del jour de Seint Michel tanque al jour de la Purification de nostre Dame & en null autre temps del an a cause que le salmons ne sont pas seisonables en les ditz ewes par le temps susdite. Et es parties ou tielx rivers sont soient assignez & jurrez bones & sufficientz conservateurs de cest estatut come est ordeignez en le dit estatut de Westm' & qils punissent les trespasseurs solonc la peine contenuz en mesme estatut sanz ascun favour entaire.

nor any other waters of the realm by the said time, nor in other time of the year, any nets called stalkers, nor other nets nor engines whatsoever they be, by the which the fry or the breed of the salmons, lampreys or any other fish, may in any wise be taken or destroyed, upon the pain aforesaid. (4) And also where it is contained in the same statute, that all the waters in the which salmons be taken within the realm, shall be put in defence as to the taking of salmons, from the day of the Nativity of our Lady, until St. Martin's day; (5) it is ordained and assented, That the waters of Lon, Wyre, Mersee, Ribbyl, and all other waters in the county of Lancaster, be put in defence, as to the taking of salmons, from Michaelmas day to the Purification of our Lady, and in no other time of the year, because that salmons be not seasonable in the said waters in the time aforesaid. And in the parts where such rivers be, there shall be assigned and sworn good and sufficient conservators of this statute, as it is ordained in the said statute of Westminster, and that they shall punish the offenders after the pain contained in the same statute, without any favour thereof to be shewed.

What time of the Year the rivers in the county of Lancaster shall be in defence.

Conservators of this statute, and their authority.

17 R. 2. c.9.

CAP. XX.

What sort of persons only may pass forth of the realm without the King's licence, and at what ports.

ITEM, for certain causes shewed in this parliament the King will and command by the assent of the lords in this parliament, that all pilgrims and all other people, except notorious and known merchants, and also soldiers and men of arms that will pass by the sea out of the realm, shall pass at the ports of Dover or Plymouth and not else where, without especial licence of the King himself, but they that will pass toward Ireland, shall pass at Liverpool, Chester, Bristol, or else where, where shall please them.

Exedit Rast. Pilgrims. Merchants. Soldiers. Rep. 21 Jac. 1. c.28.



**R**EX vicecomiti Kanc' salutem. Quedam statuta per nos de assensu Magnatum & Communitatum regni nostri Anglie in parlamento nostro apud Westm' die Lune proximo post festum sancti Hilarii ultimo preteritum tento facta que tibi mittimus sub magno sigillo nostro in forma patenti tibi precipimus quod infra comitatum predictum in locis ubi magis expediens fuerit sine dilatione legi & publice ex parte nostra proclamari ac firmiter teneri & observari facias juxta formam statutorum predictorum. Et hoc sub incumbenti periculo nullatenus omittas.

T. R. apud Westm' xvi. die Maii.

Confimilia brevia diriguntur singulis vicecomitibus per Angliam ac Johanni Duci Aquitanie & Lancastrie vel ejus Cancellario in dicto ducatu Lancastrie.

Other statutes made at *Westminster*, Anno 13 RICH. II. stat. 2. and Anno Dom. 1389.

CAP. I.

*In a pardon of murder, treason, or rape, the offence committed shall be specified. The forfeiture of him at whose suit such a pardon is obtained.*

**O**UR lord the King, at his parliament holden at Westminster the Monday next after the feast of Saint Hillary, the thirteenth year of his reign, hearing the grievous complaint of his said commons in the same parliament, of the outrageous mischiefs and damages which have happened to his said realm, for that treasons, murders, and rapes of women be commonly done and committed, and the more because charters of pardon have been easily granted in such cases; (2) the said commons requested our lord the King, That such charters might not be granted; to whom the King answered, That he will save his liberty and regality, as his progenitors have done heretofore; (3) but to nourish the more quietness and peace within his realm, by the assent of the great men and nobles, being in the same parliament, he hath granted, That no charter of pardon from henceforth shall be allowed before any justice for murder, or for the death of

**N**OSTRE seigneur le Roi a son parlement tenuz a Westm' Lundy prochein apres le fest de Seint Hiller lan de son regne treszisme oie la grevoue compleint de sa communalte en mesme le parlement des outrageouses meschiefs & damages qe sont avenuz a son dit roialme pur ceo qe tresones murders & rapes des femmes sont trop communement faitz & perpetres & ceo le plus pur ceo qe chartres de pardon ont este trop legerelement grauntez en tieux cases la dite commune pria a nostre seigneur le Roi qe tieux chartres ne fussent mes grauntez a quoi nostre seigneur le Roi respondy qil vorroit sauver sa libertee & regalie come ses progenitours ont fait devant ces heures mes pur la greindre quiete & pees nurrir deinz son roialme del assent des grantz & nobles en mesme le parlement esteantz ad grantee qe null chartre de pardon desore soit allowe devant qiconques justices pur murdre mort de homme occys

In a pardon for murder, treason, rape, &c. the offence committed shall be specified.

ys par agait assaut ou malice  
 repense treson ou rape de fem-  
 ne si mesme le murdre ou mort  
 le homme occys par agait as-  
 aut ou malice prepenfe treson  
 ou rape de femme ne soient es-  
 pecifiez en mesme la chartre.  
 Et si la chartre de mort de hom-  
 me soit alegge devant qiconques  
 iustices en quelle chartre ne  
 soit especifie qe celui de qi mort  
 feun tiel soit arreigne feust  
 murdres ou occis par agait as-  
 aut ou malice prepenfe enquer-  
 rent les justices par bone en-  
 quest del visne ou la mort fuist  
 occys sil fuist murdre ou occys  
 par agait assaut ou malice pre-  
 penfe & sils trovent qil fuist  
 murdy ou occis par agait assaut  
 ou malice prepenfe soit la char-  
 tre disalowe & soit fait outre  
 blonc ceo qe la ley demande,  
 Et si ascun prie au Roi pur  
 hartre de pardon pur murdre  
 mort de homme occys par a-  
 gait assaut ou malice prepenfe  
 treson ou rape de femme si le  
 chamberleyn endose tiel bille  
 ou face endoser mette le noun  
 de celui qe pria pur tielle char-  
 tre sur mesme la bille sur peine  
 de  $\frac{1}{2}$  marcz & si le southcham-  
 berlein endose tielle bille face  
 semblablement sur peine de  
 un centz marcz et qe null  
 autre qe chamberleyn ou south-  
 chamberlein endose ne face en-  
 doser nul tielle bille sur peine de  
 un marcz & qe tielle bille soit  
 envoie & directe al gardeyn du  
 prive seal & que null garant du  
 prive seale soit fait pur tiel char-  
 tre avoir sinon qe le gardein  
 le prive seale eit tielle bille en-  
 lose ou signe par le chamber-  
 leyn ou southchamberleyn come  
 lesuis est dist. Et qe null char-  
 tre de pardon de treson ne dau-  
 tre felonie passe la chauncellarie  
 sanz garant du prive seale for-  
 qe

a man slain by await, assault, or  
 malice prepenfed, treason, or  
 rape of a woman, unless the  
 same murder, death of the man  
 slain by await, assault or malice  
 prepenfed, treason, or rape of  
 a woman, be specified in the  
 same charter. (4) And if a  
 charter of the death of a man  
 be alledged before any justices,  
 in which charter it is not speci-  
 fied, that he of whose death  
 any such is arraigned, was  
 murdered or slain by await, as-  
 fault, or malice prepenfed, the  
 same justices shall inquire, by a  
 good inquest, of the *visne* where  
 the dead was slain, if he were  
 murdered or slain by await, as-  
 fault, or malice prepenfed, and  
 if they find that he was mur-  
 dered or slain by await, assault,  
 or malice prepenfed, the char-  
 ter shall be disallowed, and  
 further it shall be done as the  
 law commandeth. (5) And if  
 any be a suiter to the King for  
 a charter of pardon for murder,  
 death of a man slain by await,  
 assault, or malice prepenfed,  
 treason, or rape of a woman, if  
 the chamberlain endorse, or  
 cause to be endorsed such bill,  
 he shall set the name of him  
 that maketh suit for such char-  
 ter upon the same bill, upon  
 pain of one thousand marks,  
 and if the under-chamberlain  
 endorse such bill, he shall do  
 likewise, upon pain of five hun-  
 dred marks; (6) and that none  
 other than the chamberlain or  
 under-chamberlain endorse nor  
 cause to be endorsed any such  
 bill, upon pain of one thousand  
 marks: (7) and that such bill  
 be sent and directed to the  
 keeper of the privy seal. (8)  
 And that no warrant of the  
 privy-seal be made to have such  
 charter, unless the keeper of the  
 privy-seal

Kelyng, 125.  
Bro Chart. 10.  
Plowd. 401.

Ex edit Pult.

No pardon of treason or felony shall pass without warrant of the privy-seal.

The forfeiture of him at whose suit such a pardon is obtained. Rep. by 16 R. 2. c. 6.

privy-seal have such bill endorsed or signed by the chamberlain or under-chamberlain, as afore is said. (9) And that no charter of pardon, of treason, nor of other felony, pass the chancery without warrant of the privy-seal, but in case where the chancellor may grant it of his office, without speaking thereof to the King. (10) And if he, at whose suit any charter of pardon for murder, death of a man slain by await, assault, or malice prepedes, treason, or rape of a woman, be granted, be an archbishop or duke, he shall pay to the King one thousand pound: and if he be a bishop or earl, he shall pay to the King one thousand marks; and if he be an abbot or prior, he shall pay five hundred marks; and if he be a clerk, bachelor, or other of less estate, of whatsoever condition that he be, he shall pay to the King two hundred marks, and have one year's imprisonment.

que en cas ou le chancelier le puisse grantier de son office sanz ent parler au Roi. Et si celuy a qi prier ascune chartre de pardon pur murdre mort de homme tue par agait assant ou malice prepense treson ou rape de femme soit grante soit archevesqe ou duc paie au Roi  $\frac{1}{2}$  livres et fil soit evevesqe ou count paie au Roi  $\frac{1}{2}$  marcz et fil soit abbe priour baron ou banneret paie au Roi cynk centz marcz et fil soit clerck bacheler ou autre de meyndre estat de queke condition qil soit paie au Roi deux centz marcz & eit lempri-sonement dun an.

the King one thousand marks; baron or banneret, he shall pay five hundred marks; and if he be a clerk, bachelor, or other of less estate, of whatsoever condition that he be, he shall pay to the King two hundred marks, and have one year's imprisonment.

## CAP. II.

*A confirmation of the statute of provisors, made Anno 25 EDW. 3. stat. 6. and the forfeiture of him that accepteth a benefice contrary to that statute.*

**I**TEM, whereas the noble King EDWARD, grandfather to our lord the King that now is, at his parliament holden at Westminster at the Utas of the Purification of our Lady, the five and twentieth year of his reign, caused to be rehearsed the statute made at Carleil in the time of King EDWARD, son of King HENRY, touching the estate of the holy church of England; the said grandfather of the King that now is, by the assent of the great men of his realm, being in the same parliament, holden the said five and twentieth year, to the honour of GOD and of holy church, and of all his realm, did ordain and establish, that the free elections of archbishopricks, bishopricks, and

**I**TEM come le noble Roi EDWARD aiel nostre seigneur le Roi qor est a son parlement tenuz a Westm' al octaves del Purification nostre Dame lan de son regne vynt & quynt fist reciter lestatut fait a Kardoile en temps son aiel le Roi EDWARD fitz au Roi HENRY touchant lestat de seint esglise d'Engleterre le dit aiel nostre seigneur le Roi qore est del assent des grantz de son roialme en mesme le parlement tenuz le dit an vynt & quynt esteantz al honneur de Dieu & de seint esglise & de tout son roialme ordeigna & establifit que franks elections des archeveschies eveveschies & touz autres dignitees & benefices electives en Engle-  
terre

terre se tendroient delors en maniere come eles seurent graunter per ses progenitours & par les auncestres des autres seignurs foundours & toutz prelates & autres gentz de seint eglise qe avoient avowefons de quonques benefices de don le Roi ou de ses progenitours ou d'autres seignurs & donours eussent franchement lour collations & presentementz et sur ceo certain punyssement estoit ordeigne en mesme lestatut pur ceu qe acceptont aucun dignite ou benefice au contraire du dit estatut fait a Westm' le dit an xxv. come devaunt est dit le quele estatut nostre seigneur le Roi ad fait recitier en cest present parlement al request de sa communalte en mesme le parlement la tenure de quele estatut est tiel come sy ensuyt: "COME jadyz en le parlement" &c. [prout, St. 25 E. 3. St. 6. fol. 63 usque Et doit cest estatut tenir lieu comencant al oetaves suisditz.] Et outre ce nostre dit seigneur le Roi p'ore est de lassent des grantz de son roialme esteantz en cest present parlement ad ordeigne & establi qe de toutz archeveschees eveschees & autres dignites & benefices electives & autres benefices de seint eglise qe conques qe comencent destre voidez de fait le vint & noefieme jour de Januer lan du regne nostre dit seigneur le Roi RICHARD treszime ou puis ou qe se voidront en temps avenir deinz le roialme d'Engleterre le dit estatut fait le dit an xxv. soit fermement tenuz pur touz jours & mys en due execution de temps en temps en toutz pointz. Et si aucun face aucun acceptation d'aucun benefice de seint eglise a contrarie de cest estatut

*all other dignities and benefices elective in England, should hold from thenceforth in the manner as they were granted by his progenitors, and by the ancestors of other lords founders: (2) and that all prelates and other people of holy church, which had avowfons of any benefices of the gift of the King, or of his progenitors, or of other lords and donors, should freely have their collations and presentments; and thereupon a certain punishment was ordained in the same statute for them which accept any benefice or dignity contrary to the said statute made at Westminster the said twenty-fifth year, as afore is said; which statute our lord the King hath caused to be recited in this present parliament at the request of his commons in the same parliament, the tenor whereof is such as hereafter followeth: 'Whereas late in the parliament of good memory of EDWARD, King of England &c.'* [rehearsing the whole statute made the said twenty-fifth year.] ---And then thus: (3) our lord the King that now is, of the assent of the great men of his realm, being in this present parliament, hath ordained and established, That for all archbishopricks, bishopricks, and other dignities and benefices elective, and all other benefices of holy church, which shall begin \* to be void in deed the twenty-ninth day of January, the thirteenth year of the reign of our lord King RICHARD that now is, or after, or which shall be void in time to come within the realm of England, the said statute made the said twenty-fifth year shall be firmly holden for ever, and put in due execution from time to time in all manner of points.

For all benefices which shall be void after the 29<sup>th</sup> of January, An. 13. R. 2. the statute of 25 Ed. 3. stat. 6. of provisors, shall be put in execution.

\* Have begun.

If any do accept of a benefice contrary to the said statute of 25 Ed. 3. stat. 6. he shall be banished the realm.

The punishment of the receivers, procurators, &c. of offenders.

Beneficed persons, unto whom the pope had before given dignities of the church excepted.

The penalty of suing to the court of Rome to infringe the purport of this statute.

(4) And if any do accept of a benefice of holy church contrary to this statute, and that duly proved, and be beyond the sea, he shall abide exiled and banished out of the realm for ever, his lands and tenements, goods and chattles shall be forfeit to the King; (5) and if he be within the realm, he shall be also exiled and banished, as afore is said, and shall incur the same forfeiture, and take his way, so that he be out of the realm within six weeks next after such acceptation. (6) And if any receive any such person banished coming from beyond the sea, or being within the realm after the said six weeks, knowing thereof, he shall be also exiled and banished, and incur such forfeiture as afore is said. (7) And that their procurators, notaries, Executors, and summoners have the pain and forfeiture afore said.

II. Provided nevertheless, that That all they to whom the pope of Rome, or his predecessors, have provided any archbishoprick, bishoprick, or other dignity, or other benefices of holy church, of the patronage of people of holy church, in respect of any voidance before the laid xxix. day of *January*, and and thereof were in actual possession before the same xxix. day, shall have and enjoy the said archbishopricks, bishopricks, dignities, and other benefices peaceably for their lives, notwithstanding the statutes and ordinances afore said. (2) And if the King send by letter, or in other manner to the court of Rome, at the intreaty of any person, or if any other send or sue to the same court, whereby

& ce dueiment prove & soit depar dela demurge exile & banny hors du roialme pur toutz jours & ses terres tenementz biens & chateux forfaits au Roi & fil soit deinz le roialme soit il auxi exile & banny come devant est dit & encourage meisme la forfaiture & preigne son che myn issint qil soit hors du roialme deinz sys semaines prochains apres tiel acceptation. Et si aucun recite aucun tiel banny venant depar dela ou estantz deinz le roialme apres les sys semaines avancement consistant de ce soit auxi exile & banny & encourage autiel forfaiture come devant est dit. Et qe lour procuratours notaires executours & somonours eient la forfaiture & peyne susditz.

Purveu ne purquant qe toutz yceux as queux nostre seint pere le pape ou ses predecesseurs ont purveu aucun erceveschee eveschee ou autre dignitee ou benefices electives ou autres benefices de seint esglise del patronage des gentz de seint esglise a cause de voidance devant le dit xxix. jour de *Janvier* & ent furent en corporel possession devant meisme le xxix. jour eient & enjoient lour ditz erceveschees eveschees dignities & benefices paisiblement pur lour vies nient contrestantz les estatutz & ordinance avantditz. E si le Roi envoie par lettre ou en autre manere a la courte de Rome al excitation d'aucune persone au si aucun autre envoie ou prie a meisme la courte parount qe la contrarie de cest estatutz soit fait touchant aucun erceveschee eveschee dignitee ou autre benefice de seint esglise deinz le dit roialme si cely qe fait tiel excitation ou tiel prier

soit

le prelate de seinte esglise au Roi le value de ses temporaltees dun an & sil soit seigneur temporel paie au Roi le value de ses terres & possessions ent moebles dun an. Et sil est autre persone destate plus paie au Roi la value du benefice pur quel tiel prier soit fait & eit la prisonc dun an. Et l'execution du cest estatut de toutz dignites & benefices de seinte esglise qestoient voidez fait le dit xxix. jour de Janvier queux sont donez ou asseignez soit purveu par l'apostolicall devaunt mesme le xxix. jour que ceux as queux tiels provisions ou provisions soient faitz soient franchement des tiels provisions & provisions fuer execution sanz offence de cest estatut. Purveu toutzfoitz que de quel dignite ou benefice ne soit plein le dit xxix. jour de Janvier null a cause d'aucun don reservation & provision a dautre grace de l'apostolicall neconque nient execute devaunt le dit xxix. jour ne fue ent execution sur les peynes contenuz en cest present estatut.

as full the said xxix. day of January, no man because of any reservation, gift, reservation, and provision, or other grace papal, not executed before the said xxix. day, shall not sue thereof execution, upon the pains and forfeitures contained in this present statute.

any thing is done contrary to this statute, touching any archbishoprick, bishoprick, dignity, or other benefice of holy church within the said realm, if he that maketh such motion or suit be a prelate of holy church, he shall pay to the King the value of his temporalties of one year; (3) and if he be a temporal lord, he shall pay to the King the value of his lands and possessions not moveable of one year; (4) and if he be another person of a more mean estate, he shall pay to the King the value of the benefice for which suit is made, and shall be imprisoned one year. (5) And it is the intent of this statute, that of all dignities and benefices of holy church, which were void indeed the said xxix. day of January, which be given, or to whom it is provided by the pope of Rome before the same xxix. day, that they to whom such gifts or provisions be made, may freely of such gifts and provisions sue execution without offence of this statute.

(6) Provided always, That of no dignity or benefice which

Benefices full of an incumbent 29 die Jan. ann. 13 R. 2. 12 R. 2. c. 15. Raft. 465.

CAP. III.

*the penalty of him which bringeth a summons or excommunication against any person upon the statute of provisors, and of a prelate executing it.*

ITEM ordeigne est & establi que si aucun port ou envoie einz le roialme ou le poair ostre dit seigneur le Roi aucun monces sentences ou escomengementz envers aucun persone de quel condition qil soit cause de la motion sefance asseignee

ITEM, it is ordained and established, That if any man bring or send within the realm, or the King's power, any summons, sentences, or excommunications against any person, of what condition that he be, for the cause of making motion,

The penalty of him who bringeth any summons, sentence, &c. against any person upon the statute of provisors.

The penalty  
of a prelate  
executing the  
sentence, &c.

Altered by  
1 Eliz. c. 1.  
3 Inf. 100.

motion, assent, or execution of the said statute of provisors, he shall be taken, arrested, and put in prison, and forfeit all his lands and tenements, goods and chattles for ever, and incur the pain of life and of member. (2) And if any prelate make execution of such summons, sentences, or excommunications, that his temporalities be taken and abide in the King's hands, till due redress and correction be thereof made. (3) And if any person of less estate than a prelate, of what condition that he be, make such execution, he shall be taken, arrested, and put in prison, and have imprisonment, and make fine and ransom by the discretion of the King's council.

sent ou execution du dit estatut des proviseurs soit il pris & arrestuz & mys en prison & face toutz ses terres & tenementz biens & chateux par touz jours & outre encourage la peyne de vie & de membre. Et si ascun prelat face execution des tieux somonces sentences ou escomengementz qe se temporalties soient prises & demurent es mayns nostre dit seigneur le Roi tanqe due redresse & correction en soit fait. Et si ascun person de meyndre estatate qe prelat de quel condition qil soit face tiel execution soit pris & arestuz & mys en prison & eit emprisonement & face fyn & raunceon solonc la discretion du conseil nostre dit seigneur le Roi.

**R**EX vicecomiti Kanc' salutem. Precipimus tibi firmiter injungentes quod quedam statuta & ordinationes per nos de assensu Magnatum & Communitatum regni nostri Anglie in parlamento nostro apud Westm' ultimo tento facta que tibi mittimus sub magno sigillo nostro in forma patenti infra comiratum tuum in locis ubi magis expediens fuerit sine dilacione legi & publice ex parte nostra proclamari ac firmiter teneri & observari facias juxta formam statutorum & ordinationum predictorum. Et hoc sub incumbenti periculo nullatenus omittas.

Teste Rege apud Westm' xv. die Maii.

Confimilia brevia diriguntur singulis vicecomitibus per Angliam.

*An ordinance made at Westminster to prevent maintenance in judicial proceedings. 13 RICH. II. st. 3.*

**L**E Roi al viscont de Kent salut. Come par les leyes & custumes de nostre roialme queux nous sumes tenuz a garder par serement fait a nostre coronement touz noz lieges deinz mesme le roiaume sibien povres come riches deussent franchisement suer defender receyver & avoir justice & droit & accomplissement & execution dicelles en quelconques noz courtes & ailleurs sanz estre destourbez ou oppressez par maintenance manace ou autre manere queconqe & ore est einfy qen plusours noz parlemantz tenuz devant ces heures & meement es parlemantz darrein tenuz a Canterbr' & Westm' grevous pleint & grant clamour nous ad este faite sibien par seignurs espirituelx & temporels

els come par les communes de nostre dit roialme des grantz & outrageoutes oppreſſions & maintenances faitz en damage de vous & de nostre poeple en diverses parties de mesme le roiaume par diverses maintenours menours baretours procurours & embraceours de quedeles & enquestes en pais des queux plusours ont le plus embaudez & hardyz en leur maintenance & malceſtes suiſditz pur ceo qils sont de retenue des seignurs & autres de nostre dit roiaume as fees robes & autres liverees appelez liverees de compaignie. Si avons ordenez & estroitement defenzes de ladvyz de nostre grant conseil qe null prelat nautre homme de seint esglise ne bachiler ne esquier nautre de meindre eschiquier ne donne nulle manere de tiel liveree appelle liveree de compaignie & qe nul duc cont baron ou baneret ne donne tiel liveree de compaignie a chivaler ne esquier fil ne soit retenez oveſqe luy par terme de vie pur pees & guerre par endenture sanz fraude ou male engyne ou qe soit mesnal & familier demurant en son hostel ne a nul vallet appelez yoman archer nautre de meindre eschiquier ne soit ensement familier demurant en son hostel. Et qe toutz seignurs espirituels & temporels & toutz autres de quele condition ou estat qils soient ouſtent tout outrement par tielx meyntenours menours baretours procurours & embraceours de quedeles & enquestes de leur fees robes & touz maneres livereez & de leur service compaignie & retenu sanz aucun d'eulx recevoir a leur retenu en quelconque manere en temps avenir & qe nul seigneur espirituel ne temporel ne nul autre qad ou avera par terme de sa retenue ne soeffre nuls qe soient devers luy estre taintenour menour baretour procurour ou embraceour des quedeles & enquestes en pais en nul manere mes les ouſte de son service & retenue come devant est dit a plus tost qil poet estre ascertein. Et qe si aucun seigneur ouſte aucun tiel maintenour menour baretour procurour ou embraceour de sa compaignie pur celle cause qe adonques nul autre seigneur luy reteigne ne receive de sa retenue ne de sa compaignie en nul manere. Et qe null de noz lieges grant ne petit de quele condition ou estat q'il soit soit il de retenue d'aucun seigneur ou autre persone queconque ne soit mye de retenue nenpreigne quele autre qe sa propre & la maintiegne par luy ne par autre en prive nen appert. Et qe touz yceux qe usent & portent tiel liveree appelle liveree de compaignie a contraire de ceste nostre ordenance les lessent tout outrement deinz dys jours apres la proclamation de mesme ceste ordenance sanz les plus user ou porter en apres. Et qe ceste nostre ordenance soit tenue & fermement garde & duement execute en touz pointz sibien par ceux qont ou averont gentz de leur retenue come par touz autres personnes en ce qe a eux appartient touchant mesme ceste ordenance sur peine demprisonnement fyn & raunceon ou destre puniz in autre manere solonc ceo qe soit avis a nous & a nostre conseil pur qoi vous mandons & chargeons qe maintenant veuez cestes si facez publier & proclamer ceste nostre ordenance en citees burghs villes merchantz & autres lieux publiques deinz vostre baillie sibien deinz franchise come



comé deliors & le facez estre tenuz & duement executz en touz pointes. Don souz nostre grant seal a Westm' le xii. jour de Maii.

Per ipsum Regem & concilium.

*Consilia brevia diriguntur singulis vicemilitibus per Angliam.*

Statutes made at *Westminster, Anno 14 RICH. II.*  
and *Anno Dom. 1390.*

**F**OR the relief and increase of the common profit of the realm of England, and of the lands of Wales and Ireland, which have been in divers manners greatly hindered in times past; our lord the King, at his parliament holden at Westminster the morrow of St. Martin, the fourteenth year of his reign, hath ordained and established, by the assent of the said parliament, the things under-written:

**P**UR relevation & encreiss du commune profit du roialme d'Engleterre & des terres de Gales & d'Irlande qad eue en diverse manere grantement arietisse en temps passe sy ad nostre seignur le Roi a son parlement tenuz a Westm' le lendemain de Seint Martyn l'an de son regne quatorziesme ordene & establi del assent de son dit parlement les choses desouz escriptz:

CAP. I.

*The staple shall be removed from Calais into England. Every alien merchant shall bestow half the money received upon the commodities of this realm.*

a Inst. 741.  
The staple shall be removed from Calais to those towns in England which were named in An. 27 Ed. 3. stat. 2.  
c. 1.

**F**IRST, That the staple be removed from Calais into England, so that it be in England the Monday next after the feast of the Epiphany at the furthest: (2) and that it be holden in the places contained in the statutes of the staple, made in the seven and twentieth year of the King's grandfather that now is, and in none other place. (3) And that the said statute be firmly and surely holden, and duly executed in all points, with the additions under-written, notwithstanding any declaration or statute made since to the contrary, that is to say, That every person alien, of what degree or condition that he be, that bringeth any merchandise into England, shall find

**E**N primes qe le staple soit remuee de Calais en Engleterre issint qil soit en Engleterre Lundy prochein apres le fest de la Tiffanie a plus tard qil soit tenuz es lieux contenez en lestatut de le staple fait l'an xxvii. laiel nostre dit seignur le Roy & en null autre lieu. Et qe le dit estatut soit tenuz & gardez & duement execut en toutz pointz ove les additions desouz escriptz nient contredisant aucune declaration ou estatut fait depuis a contraire c'est assavoir qe chescune persone aliene de quelle degre ou condition qil soit qameine aucune merchandise en Engleterre trouve sufficeante seurete devant les custumers el port ou la dite merchandise sera amenee d'achat

Every merchant alien shall bestow the value of half his mer-

chater autre merchandise a la value de la moite du dite merchandise issint amefne au meyns come leyns quirs peaux lanutz plumb esteyin bure furmage draps ou autre commoditees de la terre,

find sufficient sureties before the customers, in the port where the merchandise, shall be brought, to buy other merchandise, to the value of half the said merchandises so brought at the least, as wools, leather, woolfels, lead, tin, butter, cheefe, cloths, or other commodities of the land.

chandises up-  
on the com-  
modities of  
this realm.  
Altered by  
4 H. 4. c. 15.  
27 H. 6. c. 3.  
17 Ed. 4. c. 1.  
3 H. 7. c. 8.

## CAP. II.

*Upon exchanges by aliens, other commodities of the realm shall be bought.*

**I**TEM qe pur chefcun eschange qe serra fait par merchantz a la court de Rome ou aillours qe les ditz merchantz soient fermement & surement liez en la chancellarie dachater deinz trois moys apres la dite eschaunge faite marchandises de lestaple come leyns quirs peaux lanutz & plumb ou esteyin bure furmage draps ou autres commoditees de la terre a la value de la somme issint eschaunge sur forfaiture dycelle.

**I**TEM, That for every exchange that shall be made by merchants to the court of Rome, or elsewhere, that the said merchants be firmly and surely bound in the chancery, to buy within three months after the said exchange made, merchandises of the staple, as wools, leather, woolfels, lead or tin, butter or cheefe, cloths, or other commodities of the land, to the value of the sum so exchanged, upon pain of forfeiture of the same.

11 H. 4. c. 8.  
9 H. 5. c. 9.

Upon ex-  
change, other  
commodities  
of the realm  
shall be  
bought.

## CAP. III.

*Officers of the staple shall be first sworn to the King, and then to the staple.*

**I**TEM, That in every port and place where the staple shall be, the mayors, constables, brokers and all other officers and ministers of the staple shall be sworn first to the King, and after to the staple.

Ex edit. Pult.  
Officers of the  
staple shall be  
sworn.  
27 Ed. 3. stat. 2.  
c. 23.

## CAP. IV.

*Of whom denizens may buy wools, and where; but they shall not regrate them.*

**I**TEM, to keep the price of wools the better, That no denizen of England, shall buy no wools but of the owners of the sheep and of the tithes, except in the staple: and that no denizen regrate wools nor other merchandises of the staple privily nor apertly, upon pain to forfeit the value of the thing regrated: and that the justices of peace in the country have power to enquire, and shall inquire from time to time of such English regrators and of the weights of the staple, and punish them by the pain aforesaid. And that no Englishman buy any wool of any person, but for himself or for his own use, as to sell at the staple, and for to make cloth.

Ex edit. Rast.  
Wools.  
Staple.  
Denizen.  
Justice of  
peace.  
Rep. by 21 Jac.  
1. c. 28.

## CAP. V.

*No denizen shall transport any merchandise of the staple forth of the realm.*

Denizens shall not transport wool, &c.

**I**TEM, That no denizen carry wools, leather, woollfells, nor lead out of the realm of *England*, to the parties beyond the sea, upon pain of forfeiture of the same, but only strangers.

27 Ed. 3. stat. 2. c. 3.

**I**TEM qe null deinzén a mefine leynes quirs peaux lanutz ne plumb hors del roialme d'Engleterre as parties dela sur peyne de forfaiture dy-celle mes soulement estrangers.

## CAP. VI.

*English merchants shall freight only in English ships.*

Freighting in English ships.

**I**TEM, That all merchants of the realm of *England* shall freight in the said realm the ships of the said realm, and not strange ships; so that the owners of the said ships take reasonable gains for the freight of the same.

5 R. 2. stat. 1. c. 3.  
6 R. 2. c. 8.  
4 H. 7. c. 10.  
1 Eliz. c. 13.

**I**TEM qe toutz les merchantz de roialme d'Engleterre frettent en le dit roialme les niefs du dit roialme & nemye niefs estraunges issint qe les possessours des ditz niefs preignent resonablement pur le frette dicelles.

## CAP. VII.

*Tin shall pass forth of the realm only at Dartmouth.*

Rep. 21 Jac. 1. c. 28.  
Ex edit. Rast.

**I**TEM that the passage of tin out of the realm shall be at the port of *Dartmouth*, and in no place else.

## CAP. VIII.

*No person shall be impeached for not gauging of Rhenish wine.*

Gauging of Rhenish wine.

**I**TEM, That none of the King's liege people be from henceforth distrained, impeached, molested, nor grieved in the exchequer, nor elsewhere, for not gauging of wines of *Rhine*, nor for any forfeiture of the same for that cause, otherwise than hath been of old times.

18 H. 6. c. 17.  
1 R. 3. c. 23.

**I**TEM qe null lige du Roy soit destreintz empeschez molestez ne grevez en leschequer naillours pur le noun gauger de vyns de Ryn ne pur aucune forfaiture dicelles par celle cause autrement qe n'este fait dauncien temps.

## CAP. IX.

*Merchants strangers resorting into this realm shall be well used.*

Merchants strangers shall be well used.  
9 Ed. 3. stat. 1. c. 1.

**I**TEM, The merchants strangers repairing into the realm of *England* shall be well and courteously and rightfully used and governed in the said realm,

**I**TEM qe merchantz estraunges repairantz en le roialme d'Engleterre soient bien & courtoisement & droitement trettez & governez en le dit roialme

to

me au fyn qils eient greindre  
purage de repeirer en ycell.

to the intent that they shall  
have the greater courage to re-  
pair into the same.

25 Ed. 3. stat. 4.  
c. 2.  
11 R. 2. c. 7.

## CAP. X.

*No customer or comptroller shall have any ship of his own,  
and he shall have his office at the King's pleasure.*

ITEM qe null custumer ne  
contrerollour eit niefs de  
ur propre ne soy melle de  
et des niefs & ceo pur eschuir  
rien le damage du Roy de sa  
estume come la perde des  
archantz repeirantz al port  
rien aliens come deinzains.  
qe null custumer contrerol-  
our serchour poisour ou trou-  
our eit null tiel office a terme  
de vie mes tantfoulement tant  
me le Roy plerra. Non obt-  
ent aucune patente ou grant  
a afeuncy a contraire & si  
un tiel patente ou grante a  
me de vie soit fait a afeuncy  
feun tiel office devant ces  
ures le Roy voet qil soit ou-  
ment repelle & voide & de  
ill force ou value defore en-  
ant.

ITEM, That no customer  
nor comptroller have any  
ships of their own, nor meddle  
with the freight of ships, and  
that to eschew, as well the da-  
mage of our lord the King of  
his customs, as the loss of the  
merchants repairing to the  
port, as well aliens as deni-  
zens. (2) And that no cus-  
tomer, comptroller, searcher,  
weigher, or finder\*, have any  
such office for term of life,  
but only as long as shall  
please the King, notwith-  
standing any patent or grant  
made to any to the contrary.  
(3) And if any such patent or  
grant for term of life be made  
to any of such office in time  
past, the King will that it be  
utterly repealed and void, and  
of no force nor value.

20 H. 6. c. 5.  
No customer  
or comptroller  
shall have any  
ship of his  
own.

2 Mod. 260.

No customer  
shall have his  
office but at  
the King's  
pleasure.

\* *Trouour.*

17 R. 2. c. 5.

1 H. 4. c. 13.

31 H. 6. c. 5.

## CAP. XI.

*In every county there shall be eight justices of peace: their  
estreats and wages.*

ITEM qen chescun countee  
soient assignez oept justices  
la pees come est contenuz  
lestatut de Cantabr' outre  
seignurs assignez en cest  
lement & qe les estretes des  
z justices soient doublez &  
de partie delivere par les ditz  
justices al viscont pur lever les  
niers ent sourdantz & ent  
er as ditz justices & a lour  
rks lour gages par la mayn  
dit viscont par endenture  
tre eux ent affaire & qe les  
contz eient allowance en lour  
compt en leschequer par mes-  
lendenture & qe null duc  
ant baron ou baneret tout  
Vol. II, soient

ITEM, That in every coun-  
ty be assigned eight justices  
of peace, as is contained in the  
statute of *Canterbury*, besides  
the lords assigned in this par-  
liament: (2) and that the  
estreats of the said justices be  
doubled, and the one part de-  
livered by the said justices to  
the sheriff, to levy the money  
thereof rising, and thereof to  
pay to the justices their wages  
by the hand of the said sheriff  
by indenture betwixt them  
thereof to be made; (3) and  
that the sheriffs have allowance  
in their account in the exche-  
quer by the same indenture:

In every coun-  
ty there shall  
be eight jus-  
tices of the  
peace.

The justices  
estreats shall  
be double.

What justices shall be allowed no wages.

(4) And that no duke, earl, baron, or baneret, albeit they be assigned justices of the peace, and hold their sessions with the other eight justices, shall take any wages for the said office.

(5) And that the justices put their names in the same estreats, together with the number of the days of their sessions, to the intent that the sheriffs may know to whom to pay the wages, and to whom not; and the barons of the exchequer, to whom to allow, and to whom not: (6) And that the seals be made for the servants, and delivered to the keeping of some good man of the country, after the purport of the said statute of *Canterbury*; (7) which statute, with the modification of the same made at the last parliament, and the statute of weights and measures, and all other good statutes and ordinances made heretofore, and not repealed, shall be holden and kept, and put in due execution.

A seal for servants.  
13 R. 2. stat. 1.  
c. 7.

soient ils assignez justices de la pees & tiegnent lour sessions oveſqe les autres cept justices ne preignent gages pur le dit office. Et qe les justices qe tiegnent lour sessions mettent lour nouns & le noun de lour clerk ensemblement ove le nombre des jours de lour sessions ou fyn qe les viscontz purront savoir a qi paiier gages & a qi noun & les barons de leſchequer a qi allower & a qi noun & qe les sealx soient faitz pur les servantz & baillez en garde dascun prod homme du pais solonc le purporte de le dit estatut de *Cantebr'* le quell estatut ove la modification dicell faite al darrein parlement ensemblement ove lestatutz de poys & mesures & toutz autres estatutz & bones ordinances faitz avant ces heures & nient repellez le Roy voet qils soient tenuz & gardez & mys en due execution.

## C A P. XII.

*The value of Scottish money of several sorts.*

Ex edit. Rast.  
Groat of Scotland.

Money.

**I**TEM, That the groat of the money of *Scotland* run in the value only of two-pence *English*. And the half groat of *Scotland* of a peny *English*. And the i. d. of *Scotland* of an ob. *English*. And the ob. of *Scotland* of a farthing *English*. And if the money of *Scotland* be impaired, that the value thereof be abridged after the rate, and that commissions be made through the realm to inquire of them that have brought or sent the money of *England* into *Scotland*, to make bullion or money of *Scotland*, in prejudice and damage of the King, and his realm.

**R**EX vicecomiti Kanc' salutem. Precipimus tibi firmiter injungentes quod quedam statuta & ordinationes per nos de assensu Magnatum & Communitatum regni nostri Anglie. — Memorand' this is left imperfect on the roll.

Statutes made at *Westminster*, Anno 15 RICH. II. and Anno Dom. 1391.

**I**N the parliament holden at *Westminster*, the morrow after *All-Souls*, the fiftenth

**A**U parlement tenuz a *Westm'* lendemayn des *Almes lan* du regne nostre seigneur

par le Roi RICHARD Second  
mais le conquest quinzisme no-  
tre dit seigneur le Roi de lassent  
le son dit parlement ad ordeine  
e establi certaines choses en la  
ourme qen suit.

year of the reign of King RI-  
CHARD the Second after the  
conquest, our said lord the King  
by the assent of the said parlia-  
ment hath ordained and esta-  
blished certain things in the  
form following.

## CAP. I.

*A confirmation of all former good statutes not repealed.*

EN primes qe toutz les bo-  
nes estatutz & ordeinances  
levant ces heures faitz & nient  
repellez soient fermement te-  
tuz & gardez.

FIRST, That all good sta-  
tutes and ordinances made  
before this time, and not re-  
pealed, be firmly holden and  
kept.

A confirma-  
tion of all for-  
mer statutes.

## CAP. II.

*The duty of justices of peace when any forcible entry is made into lands.*

ITEM accordez est & assen-  
tuz qe lestatutz & ordeinances  
faitz & nient repellez  
de ceux qe sont entrees a forte  
mayn en terres & tenementz  
ou autres possessions quecon-  
ques & lour tiegnent einz ove  
force & auxint de ceux que  
ont insurrections ou grantz  
chivaches rioutes routes ou as-  
semblees en destourbanche de la  
pees ou de la commune ley ou  
en affray du poeple soient te-  
tuz & gardez & pleynement  
executz ajouste a ycelles qe a  
toutz les foitz qe tielx forcibles  
entrees soient faitz & pleint en  
reigne a justices de la pees ou  
a aucun de eux qe mesmes les  
justices ou justice preignent ou  
reigne poair suffisçant du  
punte & voisent ou voise al  
lieu ou tiel force soit fait & fils  
roevent ou troeve ascuns qe  
tegnent tiel lieu forciblement  
apres tiel entree fait soient pris  
& mys en proscheine gaole a y  
lemurer conviect par record de  
mesmes les justices ou justice  
anq ils eient fait fyn & ran-  
teon au Roy & qe toutz gentz  
du

ITEM, it is accorded and  
assented, That the ordi-  
nances and statutes, made and  
not repealed, of them that  
make entries with strong hand  
into lands and tenements, or  
other possessions whatsoever,  
and them hold with force, and  
also of those that make insur-  
rections, or great ridings, riots,  
routs, or assemblies, in dis-  
turbance of the peace, or of  
the common law, or in affray  
of the people, shall be holden  
and kept, and fully executed;  
(2) joined to the same, That  
at all times that such forcible  
entry shall be made, and com-  
plaint thereof cometh to the  
justices of peace, or to any of  
them, that the same justices or  
justice take sufficient power of  
the county, and go to the place  
where such force is made;  
(3) and if they find any that  
hold such place forcibly after  
such entry made, they shall be  
taken and put in the next gaol,  
there to abide convict by the  
record of the same justices or  
justice, until they have made

Former sta-  
tutes concern-  
ing forcible  
entries and  
riots confirm-  
ed.

Kel. 41.  
Bulltr. 71.  
Mod. calcs in  
law, 65.  
Carth. 497.  
Hawk. Pl.  
Cr. c. 64.  
The duty of  
justices of  
peace when  
any forcible  
entry is made  
into lands.

fine and ransom to the King: (4) and that all the people of the county, as well the sheriffs as other, shall be attendant upon the same justices to go and assist the same justices to arrest such offenders, upon pain of imprisonment, and to make fine to the King. (5) And in the same manner it shall be done of them that make such forcible entries in church.

5 R. 2. stat. 1.  
4 H. 4. c. 8.  
8 H. 6. c. 9.  
21 Jac. 1. c. 15.

du counte sibien viscont come autres soient entendantz as ditz justices pur aler & enforcier mesmes les justices pur arester tielx malfesours sur peine demprisonement & de faire fyn au Roy. Et en mesme le manere soit fait de ceux qe sont tielx forcibles entrees en benefices ou offices de seint esglise.

benefices or offices of holy

### C A P. III.

*In what places the admiral's jurisdiction doth lie.*

Dy. 159.  
5 Co. 106.  
Cro. Car. 296.  
2 Bulstr. 323.  
13 Co. 52.  
Rast. 23.  
Ow. 122.

**I**TEM, *at the great and grievous complaint of all the commons made to our lord the King in this present parliament, for that the admirals and their deputies do incroach to them divers jurisdictions, franchises, and many other profits pertaining to our lord the King, and to other lords, cities, and boroughs, other than they were wont or ought to have of right, to the great oppression and impoverishment of all the commons of the land, and hindrance and loss of the King's profits, and of many other lords, cities, and boroughs through the realm;* (2) it is declared, ordained, and established, That of all manner of contracts, pleas, and quarrels, and all other things rising within the bodies of the counties, as well by land as by water, and also of wreck of the sea, the admiral's court shall have no manner of cognizance, power, nor jurisdiction; but all such manner of contracts, pleas, and quarrels, and all other things rising within the bodies of counties, as well by land as by water, as afore, and also wreck of the sea, shall be tried, determined, discussed, and remedied by the laws of the land, and not

In what places the admiral's jurisdiction doth lie, and of what things he hath cognizance.

**I**TEM a la grant & grevous compleint de tout la commune fait a nostre seigneur le Roi en cest present parlement de ce qe les admirals & leur deputees accrochent a eux diverses jurisdictions franchises & plusours autres profitz qe appartient a nostre seigneur le Roi & as autres seignurs citees & burghs autres qils ne soloient ne ne devoient avoir de droit a tresgrant oppression & impoverissement de toute la commune de la terre & arrierissement & perde des profitz nostre seigneur le Roy & de plusours autres seignurs citees & burghs parmy le roialme declarez est ordeigne & establi qe de toutes maneres contractz plees & querelles & de toutes autres choses faitz ou sourdantz deinz les corps des countees sibien par terre come par eawe & aussint de wrek de meer la court de ladmiral eit nulle manere conissance poair ne jurisdiction mes soient toutz tielx maneres contractes plees & que-reles & toutes autres choses sourdantz deinz les corps des countees sibien par terre come par eawe come desuis & auxint wrek de meer triez terminez discus

hiscus & remediez par les loyes  
 de la terre & nemye devant ne  
 par l'admiral ne son lieutenant  
 en nulle manere. Nientmeyns  
 le mort de homme & de ma-  
 rym faitz es grosses niefs este-  
 nitz & hoverantz en my le  
 haut fil des grosses rivers tant-  
 seulement paraval les † pointz  
 de mesmes les rives plus pro-  
 cheins al meer & en nul autre  
 lieu de mesmes les rivers eit  
 l'admiral conissance & auxint  
 arrest des niefs en les grantz  
 etz pur grantz viages du Roi  
 de roialme sauvent au Roi  
 outz maneres forfaitures &  
 profitz ent provenantz Et eit  
 seulement jurisdiction sur les  
 dites fletz durantz les dites  
 viages tantfoulement sauvent  
 l'admiral as seignurs citees &  
 burghs lour libertees & fran-  
 chises.

not before nor by the admiral,  
 nor his lieutenant in any wise.  
 (3) Nevertheless, of the death  
 of a man, and of a maihem  
 done in great ships, being and  
 hovering in the main stream of  
 great rivers, only beneath the  
 \* bridges of the same rivers nigh  
 to the sea, and in none other  
 places of the same rivers, the  
 admiral shall have cognizance,  
 and also to arrest ships in the  
 great flotes for the great voyages  
 of the King and of the realm;  
 saving always to the King all  
 manner of forfeitures and pro-  
 fits thereof coming; (4) and  
 he shall have also jurisdiction  
 upon the said flotes, during the  
 said voyages only, saving always  
 to the lords, cities, and bor-  
 oughs their liberties and fran-  
 chises.

\* Points.  
 † Inft. 137.  
 It is Portes in  
 the old a-  
 bridgement.

13 R. 2. stat. 1.  
 c. 5.  
 2 H. 4. c. 11.

CAP. IV.

There shall be but eight bushels of corn striked to the quarter.

ITEM come ordeigne soit  
 par diverses estatutz que ne  
 mesure de blee vin & cervoise  
 et parmy le roialme & que ocept  
 les felx ralez facent un quartre  
 de blee nientmeins a cause que  
 celle peyne est sur ce ordeine  
 que les ditz estatutz plusours  
 ontz de diverses citees burghs  
 villes & marchees ne voillent  
 prendre nachatre en les ditz  
 burghs villes & marchees  
 plusours sinoun noef busselx  
 par le quartre & sils ne les pur-  
 vent acheter en tiel manere ils  
 estent come forfait a tres-  
 grant damage & oppression de  
 tout la commune poeple &  
 ostentement encontre les estatutz  
 que ditz ordeignez est & assen-  
 tement que les ditz estatutz soient  
 mement gardez & tenuz fir-  
 mement en la citee de Loundres  
 come

ITEM, whereas it is ordained  
 by divers statutes, that one  
 measure of corn, wine and ale  
 should be throughout the realm,  
 and that eight bushels striked make  
 the quarter of corn; (2) never-  
 theless, because that no pain is  
 thereupon ordained in the said  
 statutes, divers people of divers  
 cities, boroughs, towns, and mark-  
 ets, will not take, neither buy in  
 the said cities, boroughs, towns,  
 markets, ne in none other place,  
 but nine bushels for the quarter;  
 (3) and if they cannot buy in that  
 manner, they arrest it as forfeit,  
 to the great damage and oppression  
 of all the people, and manifestly  
 against the statutes aforesaid;  
 (4) it is ordained and assented,  
 That the said statutes shall be  
 firmly kept and holden, as well  
 in the city of London, as in eve-  
 ry

4 Ed. 3. c. 3.  
 25 Ed. 3. c. 1.  
 36 Ed. 3. c. 2.

† pointz, Nova statuta.



2 H. 5. c. 10.

There shall be but eight bushels of corn striked to the quarter.

ry other place throughout the realm, and that as well by water as by land, notwithstanding any usage in times past to the contrary. (5) And that none from henceforth do buy in the city of *London*, nor in other place, any manner of corn or malt, but after eight bushels for the quarter, according to the purport of the said statutes, upon pain of forfeiture of all the corn or malt so bought; saving to the King the said forfeiture, except franchises royal, to whom the King at this time, of his special grace hath granted the same forfeiture; (6) and that as well the mayor and sheriffs of *London*, as the mayors and bailiffs of other cities, boroughs, towns, and markets (if they do not thereof full and due execution) shall incur like pain, as well at the suit of the King, as of the party, or of any other person that will sue for the King.

11 H. 7. c. 4.

come ailleurs parmy le royaume & sibiens par ewe come par terre nient contresteaunt aucune usage avant ces heures a contraindre. Et qe null desore en avant achate en la dite citee de *Loundres* naillours nulle manere blee ou brees sinoun cept buffels par le quartre solonc le purport des ditz estatutz sur peine de forfaire tout le blee ou brees issint achate sauvent la dite forfaireure au Roi forpris franchises roiales as queux le Roi a ceste foitz ad grante yeulle forfaireure de sa grace & ce sibiens les mayr & viscountz de *Londres* come les mayr & bailiffs dautres citees burghes villes & marches sile ne facent en pleine & due execution encourgent autieulle peine sibiens a suite du Roi come de partie & dautre queconqe qe vorra fais par le Roi.

## C A P. V.

*Assurance of lands to certain places, persons, and uses, shall be adjudged Mortmain.*

7 Ed. 1. stat. 2.

**I**TEM, whereas it is contained in the statute De religiosis, That no religious, nor other whatsoever be he, do buy or sell, or under colour of gift, or term, or any other manner of title whatsoever, receive of any man, or in any manner by gift or engine cause to be appropriated unto him any lands or tenements, upon pain of forfeiture of the same, whereby the said lands and tenements in any manner might come to Mortmain. (2) And if any religious, or any other, do against the said statute by art or engine in any manner, that it be lawful to the King, and to other lords, upon the said lands and tenements to enter,

It is within the compass of the statute of Mortmain to convert any land to a church yard.

**I**TEM come contenuz soit en lestatutz de Religieuses qe null religious nautre queconqe achate ne vende ou souz colour de doun ou terme ou dautre title queconqe dascun receit ou dascun en aucune manere par art ou par engyn a luy fais approprier aucunes terres ou tenementz sur forfaireure dyceulle par quoi les ditz terres & tenementz purront en aucune manere devenir a mort mayn. Et qe si aucun religious ou aucun autre veigne encontre le dit estatutz par art ou par engyn en aucune manere bien life au Roi & as autres seignurs les ditz terres & tenementz entrer si-

come en le dit estatut est contenuz plus au plein. Et ore de novell par sotile ymagination & par art & engyn alguns gentz de religion parsons vikers & autres perones espiritiels sont entrez en diverses terres & tenementz adjoignantz a lour esglise & dycelles par suffrance & assent de tenantz ont fait cimiers & par bulles del apostoill les ont fait dedier & sacrer & sepulture parochiale font continuellement en ycelles sanz licence du Roi & des chiefs seignurs declare est en cest present parlement qe ce est overtement en cas du dit estatut. Et enoutre accordez est & assentuz qe toutz ceux qe sont possessionez par feoffement ou par autre voie al oeps de gentz de religion ou autres perones espiritiels des terres tenementz fees advoesons ou autres possessions queconques pur les amortifer & dont les ditz religieuses & perones espiritiels preignent les profitz qe parentre cy & le fest de seint Michel profchein venant ils les facent estre amortilez par licence du Roi & des seignurs ou autrement qils les vendent & alienent a autre oeps parentre cy & le dit fest sur peine destre forfaitz au Roi & as seignurs solonc la fourme de lestatur de religious come tenementz purchalez par gentz de religion & qe de cest temps enavant null tiel purchase se face issint qe tielx religieuses on autres perones espiritiels ent preignent les profitz come desuis sur la peine avaunt dite. Et mesme cest estarut sextende & soit tenuz de toutz terrez & tenementz fees advoesons & autres possessions purchacez & a purchasers al oeps des gildes & fraternitees. Et enoutre est assentuz pur ce qe mairs baillifs &

*as in the said statute doth more fully appear. (3) And now of late by subtle imagination, and by art, and engine, some religious persons, parsons, vicars, and other spiritual persons, have entered in divers lands and tenements, which be adjoining to their churches, and of the same, by sufferance and assent of the tenants, have made church-yards, and by bulls of the bishop of Rome have dedicated and hallowed the same, and in them do make continually parochial burying without licence of the King and of the chief lords; therefore it is declared in this parliament, That it is manifestly within the compass of the said statute.*

(4) And moreover it is agreed and assented, That all they that be possessed by feoffment, or by other manner, to the use of religious people, or other spiritual persons, of lands and tenements, fees, advowsons, or any manner other possessions whatsoever, to amortise them, and whereof the said religious and spiritual persons take the profits, that betwixt this and the feast of St. Michael next coming, they shall cause them to be amortised by the licence of the King and of the lords, or else that they shall sell and aliene them to some other use between this and the said feast, upon pain to be forfeited to the King, and to the lords, according to the form of the said statute of religious, as lands purchased by religious people: (5) and that from henceforth no such purchase be made, so that such religious or other spiritual persons take thereof the profits, as afore is said, upon pain aforesaid. (6) And that the same statute extend and be observed of all lands, tenements, fees, advowsons,

*Mortmain where some be seized of lands to the use of religious or spiritual persons.*

*Mortmain to purchase lands to gilds, fraternities, offices, commonalties.*

sons, and other possessions, purchased, or to be purchased to the use of gilds or fraternities. (7) And moreover it is assented, because mayors, bailiffs, and commons of cities, boroughs, and other towns which have a perpetual commonalty, and others which have offices perpetual, be as perpetual as people of religion, that from henceforth they shall not purchase to them, and to their commons or office, upon pain contained in the said statute *De religiosis*. (8) And whereas others be possessed, or hereafter shall purchase to their use, and they thereof take the profits, it shall be done in like manner as

& communes de citees burghes & autres villes qont commun perpetuel & autres qont office perpetuels sont aussi perpetuels come gents de religion que cest temps enavaunt ils ne purchacent a eux & a leur commune ou office sur la paine contenue en le dit estatut de religieuses. Et de ce que autres sont possessionez ou ferra purchacez en temps avenir a leurs oeps & ils ent preignent ou prendront les profitz soit semblablement fait come devaut est dit de gentz de religion.

Mortmain in respect of taking of lands in use.  
 2 Inst. 75. 429.  
 413.  
 1 Co. 123.  
 9 H. 3. stat. 1.  
 c. 36.  
 13 Ed. 1. stat. 1.  
 c. 32.  
 23 H. 8. c. 10.  
 9 Geo. 2. c. 36.

is afore said of people of religion.

CAP. VI.

*In appropriation of benefices there shall be provision made for the poor and the vicar.*

**I**TEM, because divers damages and hindrances oftentimes have happened, and daily do happen to the parishioners of divers places, by the appropriation of benefices of the same places; (2) it is agreed and assented, That in every licence from henceforth to be made in the chancery, of the appropriation of any parish church, it shall be expressly contained and comprised, that the diocesan of the place, upon the appropriation of such churches, shall ordain, according to the value of such churches, a convenient sum of money to be paid and distributed yearly of the fruits and profits of the same churches, by those that shall have the said churches in proper use, and by their successors, to the poor parishioners of the said churches, in aid of their living and sustenance for ever; (3) and also that the vicar be well and sufficiently endowed.

**I**TEM pur ce que plusieurs damages & deseases sont souvent avenuz & aveignent de jour en autre as parochiens de diverses lieux par l'appropriation des benefices de mesmes les lieux accordez est & assentuz qen chescune licence deso'e a faire en la chancelarie d'appropriation d'aucune esglise parochielle soit expressement contenuz & compris que le diocesan de lieu en l'appropriation de tielx esglises ordene solonc la value de tielx esglises une convenable somme d'argent destre paiee & distributz annuellement des fruitz & profitz de mesmes les esglises par ceux qaveront les dites esglises en propre oeps & par leur successeurs as povres parochiens des dites esglises en aide de leur vivre & sustenance a touz jours & que le viker soit auxint bien & convenablement dowe.

In all appropriations of benefices there shall be some provision made for the poor and the vicar.

Ptowl. 495.  
 11 Co. 9.  
 Cro. Jac. 516.  
 Watton's compl. Incumb. 194, 195.  
 4 H. 4. c. 12.

## CAP. VII.

*Armour, corn, or victual, may be carried to Berwick.*

**I**TEM, whereas it is ordained by the statute made the seventh year of our lord the King, that from henceforth no person alien or denizen, of what estate or condition that he be, shall take or carry, or cause to be taken or carried by land, or by sea, out of the realm of *England*, to any parts of *Scotland*, privily or openly, any manner of armour, corn, malt, or other victual, or any other refreshing whatsoever, upon pain of forfeiture of the same victual, or armour, and other things aforesaid, together with the ships, vessels, carts, or horses that bear or carry them, or else the very value of them; (2) whereupon our lord the King at the request of the commons, and by the advice and assent of the lords, hath declared in this parliament, the said statute in such manner, that it was not his intent at the making of the said statute, ne yet is, that they that have carried or taken, or from henceforth shall take or carry victuals or merchandises to the town of *Berwick* upon *Tweed*, which is the King's town and of his liegance, shall incur the pain of the said statute, ne shall not be bound to pay customs and subsidies granted to our lord the King of merchandises that be or shall be carried out of the realm.

Ex edit. Pult.

Armour,  
corn, or  
victuals may  
be carried to  
Berwick, not-  
withstanding  
the stat. 7. R. 2.  
c. 16.

II. Provided alway, that they which carry any cloth, victuals, or other merchandises out of the said town of *Berwick*, to any places being in amity with the King, shall pay the subsidies, customs, and other duties thereof to our lord the King, and if they do carry to any parts of the King's enemies, they shall incur the pain of the said statute.

## CAP. VIII.

*A repeal of the statute of 14 Rich. 2. c. 7. touching the carrying of tin forth out of the realm at Dartmouth only.*

**I**TEM, whereas it was ordained at the last parliament, that the passage of tin out of the realm should be at the port of *Dartmouth*, and no place else: It is agreed, that the said ordinance be adnulled, and that between this and the feast of *St. John Baptist* next coming, all merchants denizens and aliens shall be at large, to lade tin in ships and other vessels, to carry out of the realm in what haven they will choose within the realm, and to what part it please them. And after the said feast they shall repair to *Calais* for the time that the resort of wool shall be there, paying alway the customs, subsidies and devoirs thereof due before the passage of the said tin.

Ex edit. Rast.  
Tin.  
Dartmouth.  
Merchants.

Rep. 21 Jac. 1.  
c. 28.

## CAP. IX.

*The mayor of the staple shall take recognizances for debts, according to the statute of 27 Edw. 3. stat. 2. cap. 9.*

**I**TEM, whereas it is contained in the statute of the staple, to the intent that the contracts made within the staple should be

Ex edit. Pult.

the

The mayor of the staple shall take recognisances for debts according to statute of 27 Ed. 3. stat. 2. c. 9.

the better performed, and the payments readily made, that every mayor of the staple shall have power to take recognisances of debts that any man will make before him in the presence of the constables of the staple, or one of them. (2) And that in every of the said staples be one seal ordained to remain in the custody of the said mayor, under the seals of the said constables: it is agreed and assented, That the said statute be firmly kept and holden. (3) And that no mayor of the staple take or receive any recognisance of debt contrary to the form of the said statute, upon pain to pay to the King the moiety of the sum recognised before him.

## C A P. X.

*None shall buy Guilford cloths before they be fulled and manufactured as they ought to be.*

Cloths of Guilford.

Fuller.

**I**TEM, at the complaint of the commons made in the parliament, because that of old times divers cloths were made in the town of *Guilford*, and other places within the counties of *Surrey*, *Suffex*, and *South*, called cloths of *Guilford*, which were of good making and of good value, and did bear a great name. And now because that fullers and other of the same county, do use to buy the cloths of the said counties before that they be fulled and performed, and in making, for covetousness to have the said cloths of greater measure over the common assise that late was used, do draw the cloths more longer and more large than they were wont or ought to be, to the great impairing of the said cloths, and great deceit of the people. For to eschew such damages and deceits in time to come, it is agreed and assented, That from henceforth no fuller nor other person whatsoever he be shall buy within the said towns and counties any cloth, before the same cloth be fulled and fully performed in his nature, and also sealed under the seal thereto ordained; upon pain of forfeiture of the same.

Rep. 5 & 6 Ed. 6. c. 6.

## C A P. XI.

*Girdlers may work their girdles with white metal.*

Girdlers.

Charters.

Rep. 1. Jac. 1. c. 25.

**I**TEM, it is agreed and assented, That all the girdlers of the realm, that work girdles garnished with white metal, may work, use, and continue their said craft, that is to say, to garnish the girdles with white metal as of old times it hath been used, notwithstanding any charters or patents made or granted to the contrary. And if any charters or patents be made to the contrary, that they shall be void and of no force.

## C A P. XII.

*No man shall be compelled to answer for his freehold before the council of any lord.*

**I**TEM, at the grievous complaint of the commons made in full parliament, for that divers of the King's subjects be caused to

TEM a la grevousse complaint des communes fait au plein parlement de ce que plusieurs liges du Roi sont faitz venir

ir devaunt les conseilx de diverses seignurs & dames a y respondre de lour frank tenement & de plusours autres choses reales & personeles qe deveient estre demefnez par la ley de la terre encontre lestat & soit de nostre seigneur le Roi de sa corone & en defesance de la commune ley accordez est assentuz qe null liege du Roi esore enavant soit artez comellez ne constreint par nulle maniere de venir ne dapparoir devant le conseil d'aucun seigneur ou dame pur y respondre de son frank tenement ne de chose que touche frank tenement ne de nulle autre chose reale ou personele q'appertient a la ley de la terre en aucune manere. Et si aucun se sent grevez en temps venir encontre ceste ordeinance & accorde sue al chancelier qi ferra pur le temps & il n'aura remede.

come before the council of divers lords and ladies, to answer for their freehold, and so for divers other things, real and personal, that ought to be ordered by the law of the land, against the estate and the right of our lord the King and of his crown, and in defeating of the common law; (2) it is agreed and assented; That from henceforth none of the King's subjects be compelled, neither by any mean constrained, to come nor to appear before the council of any lord or lady, to answer for his freehold, nor for any thing touching his freehold, nor for any other thing real or personal, that belongeth to the law of the land in any manner: (3) And if any find himself griev'd in time to come, contrary to this ordinance and agreement, he may complain to the chancellor for the time being, and he shall give him remedy.

No man shall be compelled to answer for his freehold before the council of any lord.

52 H. 3. c. 22.  
16 R. 2. c. 2.  
Regist. 171.

REX vicecomiti Lincoln' salutem. Quedam statuta & ordinationes per nos in ultimo parlamento nostro apud Westm' tento de assensu reguntum & communitatis regni nostri Anglie nobis in eodem parlamento assistentium facta tibi in forma literarum patentium mittimus sub sigillo nostro precipientes firmiter injungendo quod statuta & ordinationes predicta in pleno comitatu tuo ac civitatibus burgis villis mercatoriis & aliis locis infra ballivam tuam ubi melius expedire videris publice proclamari & teneri facias juxta tenorem eorundem.

T. R. apud Westm' primo die Februar'.

Statutes made at Winchester, Anno 16 RICH. II.  
and Anno Dom. 1392.

Nostre seigneur le Roi RICHARD Second puis le conquest a son parlement tenuz a Wyncestre en les oeuvres de Saint Hiller lan de son regne seiziesme ad ordeine & establi certaines choses de assent de

OUR lord the King, RICHARD the Second after the conquest, at his parliament holden at Winchester in the Utas of St. Hillary, the sixteenth year of his reign, hath ordained and stablished, by the assent of his parliament

ment; certain things in the form de son dit parlement en la following. fourme qensuit.

## CAP. I.

*No merchant stranger shall buy or sell with another merchant stranger to sell again.*

Ex edit. Pult.  
9 Ed. 3. stat. 1.  
c. 4.

4 Inst. 265.  
All merchants  
aliens and de-  
nizens may  
freely buy and  
sell within the  
realm.

25 Ed. 3. stat. 4.  
c. 2.

Merchants  
may sell their  
wares in gros  
or by retail, or  
by parcels.

Stat. 11 R. 2.  
c. 7.

No merchant  
stranger shall  
sell any mer-  
chandises by  
retail but vic-  
tuals.

**F**IRST, Whereas by the statute made at *York* the ninth year of the reign of King *EDWARD* grandfather of our lord the King that now is, it was ordained and stablished, That merchants aliens and denizens, and all other, and every one of them, of what estate or condition that they be, which will buy or sell corn, wines, *avoir de pais*, flesh, fish, and all other living and victuals, cloths, wools, wares, merchandises, and all other things vendible, from whencesoever they come, by foreigners, or by denizens, to what place that it be, be it in city, borough, town, port of the sea, fair, market, or other place within the same realm, within franchise and without, may freely and without disturbance sell the same to whom they please, as well to foreigners as to denizens, except the enemies of the King and of his realm: (2) and after by another statute made the five and twentieth year of the said grandfather, it was ordained and accorded, That the said statute made the ninth year should be holden, kept, and maintained in all points. (3) And moreover, that every merchant and other, of what condition that he be, as well alien as denizen, that bringeth wines, flesh, fish or other manner of victuals, cloth, fells, or *avoir de pais*, or other wares or merchandises, to the city of *London* or other cities, boroughs, and good towns of *England*, or ports of the sea, may freely and without challenge or impeachment of any, sell them in gros or at retail, or by parcels at his pleasure, to any people that will buy them, notwithstanding any franchise, grant or custom used, or any other manner of thing made to the contrary, and that without disturbance or impediment of any, upon certain pains contained in the aforesaid statutes. (4) And after in the eleventh year of the reign of our said lord the King, it was also ordained and established by the statute made in the same year, That those two statutes aforesaid should be holden, kept, maintained, and fully executed in all points and articles of the same, notwithstanding any statute, ordinance, charter, letters patents, franchise, proclamation, commandment, usage, allowance, or judgment made or used to the contrary, as in the said statute more fully is contained. (5) Nevertheless forasmuch as it seemeth to our lord the King, that the said statutes, if they shall be fully holden and executed, shall extend to the great hindrance and damage, as well of the city of *London*, as of other cities, boroughs, and towns of the realm: (6) it is ordained and assented, That no merchant stranger alien shall sell, nor buy, nor merchandise within the realm with another strange merchant alien, to sell again, (7) nor that no strange merchant alien shall sell to retail within the same realm, (8) nor shall put to sale any manner of wares or merchandises, except livings and victuals,

vituals, (9) and also that aliens shall sell wines by whole vessels, and spicery by whole vessels and bales, and in no other manner. (10) And that no manner of spicery, after that it be brought in the realm, shall be carried out of the same realm by alien or denizen, upon pain of forfeiture of the same. (11) And moreover the King will that the said statutes in all articles and points shall be firmly holden and kept.

No wines shall be carried forth of the realm. Neither yet any manner of spicery. Repealed by 3 Car. 1. c. 4. sect. 27.

## C A P. II.

*The forfeiture of him that compelleth any person to answer for his freehold.*

**I**TEM come el darrien parlement accordez estoit & assentuz qe null lige du Roi delors en avant serroit artez compellez ne constreint par null voie de venir ne dapparoir devaunt le conseil dascun seigneur ou dame pur y respondre de son frank tenement ne de chose qi touche frank tenementz ne de nulle autre chose reale ou personele q'appartient a la ley de la terre en aucun manere sicome par lestatut ent fait plus pleinement appiert accordes est & assentuz qe le dit estatut soit fermement tenuz & gardez & qe si ascun seigneur ou dame ou autre liege du Roi face alencontre encourage la peine de vint livres devers nostre seigneur le Roy.

**I**TEM, Whereas at the last parliament it was accorded and assented, That none of the King's liege people from henceforth should be bound, compelled, nor constrained by any means, to come nor to appear before any lord's or lady's council, there to answer of his freehold, nor of things which touch freeholds, nor of any other thing real nor personal, which belongeth to the law of the land in any wise, as by the statute thereof made more fully appeareth; (2) it is accorded and assented, That the said statute shall be firmly holden and kept; (3) and if any lord or lady, or other of the King's liege people do to the contrary, they shall incur the pain of xxl. to the King.

52 H. 3. c. 22. Regist. 171.

## C A P. III.

*The clerk of the market shall carry with him all his weights and measures signed.*

**I**TEM ordeinez est & assentuz qe toutz les poys & mesures parmy le roialme soient accordantz a lestandard de leschequer solonc la fourme de lestatutz ent faitz. Et en outre le Roi voet que le clerck del marche eit tout ses mesures & poises darsme accordantz a lestandard de leschequer & signez & merchez del signe de leschequer a ce ordeine & mesmes les poises & mesures issint signez & mer-

**I**TEM, it is ordained and assented, That all the weights and measures through the realm shall be according to the standard of the exchequer, after the purport of the statutes thereof made. (2) And the King willeth, That the clerk of the market shall have all his measures and weights of brass, according to the standard of the exchequer, and signed and marked of the sign of the exchequer

The clerk of the market shall carry with him all his weights and measures signed.



chequer thereunto ordained ;  
 (3) and the same weights and  
 measures so signed and mark-  
 ed, to carry and bring with  
 him at all times, when he shall  
 make the assay of weights and  
 measures in any part within the  
 realm ; (4) that he, nor any  
 other of the King's liege peo-  
 ple, shall use any other mea-  
 sure nor weight, upon the pains  
 contained in the statutes there-  
 of made before this time.

merchez carie & améne oveſque  
 luy a toutz des foiz q'il ferra  
 l'assay de poises & mesures a-  
 ſcune part deinz le roialme &  
 q'il ne null autre lige du Roi  
 use null autre mesure ne pois  
 sur les peines contenez en le  
 statutz ent faitz devant ces  
 heures.

4 Inſt. 273.  
 9 H. 3. ſtat. 1.  
 c. 25.  
 14 Ed. 3. ſtat. 1.  
 c. 12.  
 34 Ed. 3. c. 5.  
 11 H. 7. c. 4.

## C A P. IV.

*Who only may wear another's livery.*

Ex. edit. Reſt.  
 Livery of  
 company.  
 justices of  
 peace.

**I**TEM, it is accorded and aſſented, That no yeoman nor o-  
 ther of lower eſtate than an eſquire, from henceforth ſhall  
 not use nor bear no livery, called livery of company, of any  
 lord within the realm, if he be not menial and familiar, conti-  
 nually dwelling in the houſe of his ſaid lord, and that the juſ-  
 tices of peace ſhall have power to enquire of them, which do  
 to the contrary, and them to puniſh according to their diſ-  
 cretion.

Rep. 3 Car. 1.  
 c. 4. ſect. 27.

## C A P. V.

*Præmunire for purchaſing bulls from Rome. The crown of  
 England ſubject to none.*

1 Leon. 292.  
 12 Co. 37. 40.

**I**TEM, *Whereas the commons  
 of the realm in this preſent  
 parliament have ſhewed to our  
 redoubted lord the King, grievouſ-  
 ly complaining, That whereas the  
 ſaid our lord the King, and all  
 his liege people, ought of right,  
 and of old time were wont to ſue  
 in the King's court, to recover  
 their preſentments to churches,  
 prebends, and other benefices of  
 holy church, to the which they  
 had right to preſent, the cognoiſance  
 of plea, of which preſentment be-  
 longeth only to the King's court of  
 the old right of his crown, uſed  
 and approved in the time of all  
 his progenitors Kings of Eng-  
 land ; (2) and upon judgment  
 ſhall be given in the ſame court  
 upon ſuch a plea and preſent-  
 ment, the archbishops, bishops,  
 and other ſpiritual perſons which  
 have institution of ſuch benefices  
 within*

The remedy  
 to recover  
 preſentments  
 to benefices in  
 the King's  
 court, and the  
 execution  
 thereof is  
 done by the  
 biſhop.

**I**TEM come les comunnes  
 du roialme en ceſt preſent  
 parlement eient monſtrez a  
 noſtre trefredoute ſeigneur le  
 Roi grevouſement compleig-  
 nantz qe par la ou meſme no-  
 ſtre ſeigneur le Roi & toutz les  
 liges deivent de droit & ſoloi-  
 ent de tout temps purſeuer en  
 la courte meſme noſtre ſeigneur  
 le Roi pur recoverer leur pre-  
 ſentementz as eglises preben-  
 des & autres benefices de ſainte  
 eglise as queux ils ont droit  
 a preſenter la conſiſſance de plee  
 de quelle preſente apertient  
 ſoulement a courte meſme no-  
 ſtre ſeigneur le Roi daunciene  
 droit de ſa coroune uſe & ap-  
 prove en temps de toutz les  
 progenitours Rois d'Engleterre  
 & quant juggedment ſoit rendu  
 en meſme la courte ſur tiel plee  
 & preſente les archeſques eſve-  
 ques

ques & autres perſones ſpirituelles gount inſtitution de tiele benefice deinz leur juridiction ſont tenuz & ont fait execution des tieux juggements par mandement des Rois de tout le temps avantdit ſanz interruption qare autre lay perſone ne poet tiele execution faire & auxint ſont tenuz de droit de faire execution de pluſours autres mandementz noſtre ſeignur le Roi de quele droit la corone d'Engleterre ad eſte peiſiblement ſeify ſibien en temps noſtre dit ſeignur le Roi come en temps de touz ſes progenitours tanqe enca mes ore tarde diverses proceſſes ſont faitz par le ſeint pierre le pape & cenſures deſcomengementz ſur certains evesques d'Engleterre pur ceo qils ont fait execution des tieux mandementz en overte diſheritance de la dite corone & deſtruction du regalie noſtre dit ſeignur le Roi fa ley & tout ſon roialme ſi remedie ne ſoit mys. Et auxint dit eſt & commune clamour y ad qe le dit ſeint pierre le pape ad ordeigne & purpoſe de translater aucuns prelates de meſme le roialme aſcuns hors du roialme & aucuns de un eveschee a autre deinz meſme le roialme ſaunz aſſent & conifance noſtre ſeignur le Roy & ſaunz aſſent du prelat qi enſy ſerroit translater queux prelatz ſont moult profitables & neceſſaries a noſtre dit ſeignur le Roi & tout ſon roialme par queux translations ſils fuſent ſufertz les eſtatz du roiaume ſerront deſfaitz & anientez & ſes ſages lieges de ſon conſeill ſanz ſon aſſent & encoultre ſa voluntee ſubtrez & eſloignez hors de ſon roiaume & lavoit & treſore du roiaume ſerroit emporte & enſi meſme

*within their jurisdiction, be bound, and have made execution of ſuch judgments by the King's commandments of all the time aforeſaid without interruption (for another lay-perſon cannot make ſuch execution) and alſo be bound of right to make execution of many other of the King's commandments, of which right the crown of England hath been peaceably ſeiſed, as well in the time of our ſaid lord the King that now is, as in the time of all his progenitors till this day: (3) but now of late divers proceſſes be made by the biſhop of Rome, and cenſures of excommunication upon certain biſhops of England, becauſe they have made execution of ſuch commandments, to the open diſheriſon of the ſaid crown and deſtruction of our ſaid lord the King, his law, and all his realm, if remedy be not provided. (4) And alſo it is ſaid, and a common clamour is made, that the ſaid biſhop of Rome hath ordained and purpoſed to translate ſome prelates of the ſame realm, ſome out of the realm, and ſome from one biſhoprick into another within the ſame realm, without the King's aſſent and knowledge, and without the aſſent of the prelates, which ſo ſhall be translated, which prelates be much profitable and neceſſary to our ſaid lord the King, and to all his realm; (5) by which translations (if they ſhould be ſuffered) the ſtatutes of the realm ſhould be defeated and made void; and his ſaid liege ſages of his council, without his aſſent, and againſt his will, carried away and gotten out of his realm, and the ſubſtance and treaſure of the realm ſhall be carried away, and ſo the realm deſtitute as well of council as of ſubſtance, to the final deſtruction of*

The pope awarded proceſſes and ſentences of excommunication againſt certain biſhops for executing judgments given in the King's court.

The pope's translation of prelates out of the realm, or from one ſpiritual living to another.

25 Ed. 3. ſtat. 6. de provif.

The freedom of the crown of England, and that it is in subjection to no realm.

*of the same realm; (6) and so the crown of England, which hath been so free at all times, that it hath been in no earthly subjection, but immediately subject to God in all things touching the regality of the same crown, and to none other, should be submitted to the pope, and the laws and statutes of the realm by him defeated and avoided at his will, in perpetual destruction of the sovereignty of the King our lord, his crown, his regality, and of all his realm, which God defend.*

The promise of the commons to assist the King in defence of the liberties of his crown.

II. *And moreover, the commons aforesaid say, That the said things so attempted be clearly against the King's crown and his regality, used and approved of the time of all his progenitors; wherefore they and all the liege commons of the same realm will stand with our said lord the King, and his said crown and his regality, in the cases aforesaid, and in all other cases attempted against him, his crown, and his regality in all points, to live and to die. (2) And moreover they pray the King, and him require by way of justice, that he would examine all the lords in the parliament, as well spiritual as temporal severally, and all the states of the parliament, how they think of the cases aforesaid, which be so openly against the King's crown, and in derogation of his regality, and how they will stand in the same cases with our lord the King, in upholding the rights of the said crown and regality.*

The like promise of the lords temporal.

*(3) Whereupon the lords temporal so demanded, have answered every one by himself, that the cases aforesaid be clearly in derogation of the King's crown, and of his regality, as it is well known, and hath been of a long time known, and that they will be with the same crown and regality in these cases*

mesme le roiaume destitue sibi de conseil come devoir a final destruction de mesme le roialme & ensy la corone d'Engleterre qad est si frank de tout temps qele nad hien null terrien souverain mes immediate subgit a Dieu en toutes choses touchantz la regalie de mesme la corone & a null autre serroit submys a pape & les leys & estatutz du roialme par luy defeatz & anientez a sa volente en perpetuele destruction de la soveraynte nostre seigneur le Roy sa corone & sa regalie & tout son roialme qe Dieu defende.

Et disoient outre les communes avantdites qe les dites choses ensy attemptez sont overtement encountre la corone nostre seigneur le Roi & sa regalie use & approve du temps du touz ses progenetours par quoy ils & touz les lieges communes du mesme le roialme veullant estre avec nostre dit seigneur le Roi & sa dite corone & sa regalie en les cases avantdites & en touz autres cases attemptez encountre luy sa corone & sa regalie en touz pointz a vivre & murer. Et prierent outre a nostre seigneur le Roy & luy requisrent par voy de justice qil verroit examiner touz les seignurs en parlement sibi spirituals come temporeles severalment & touz les estatz du parlement comment lour semble des cases avantditz qe sont si overtement encountre la corone nostre seigneur le Roy & in derogation de sa regalie & comment ils voillent estere en mesmes les cases ovesqe nostre seigneur le Roy en sustenance des droitz de ses ditz corone & regalie. Sur quoy les seignurs temporels en

usi demandez ount respondu  
 hecun par foy qe memés les  
 ses avantdites sont overté-  
 ent en derogation de la co-  
 me nostre seignur le Roy & de  
 regalie come notoirement est  
 ad este de tout temps conuz  
 qe ils veullent estre avec mes-  
 es les corone & regalie en  
 esmes cestes casés en especial  
 en touz autres casés qe ser-  
 ent attemptez encountre mes-  
 es les corone & regalie en  
 utz pointz ove tout lour  
 air. Et oultre ce demandez  
 soit des seignures espirituels  
 eges esteantz & des procura-  
 urs des autres absents de  
 ur estre avys & volente en  
 ux casés queux seignurs cest-  
 avoir ercevevesques evesques &  
 tres prelates esteantz en le  
 parlement severalment ex-  
 mines feasantz protestations  
 nest pas lour entention de  
 re ne affermer qe nostre Seint  
 ere le pape ne poet exco-  
 enger evesques ne qil poet  
 re translations des prelatz  
 onc la ley de seinte esglise  
 spoignent & diount qe si au-  
 nus executions des processe-  
 tz en la courte du Roi come  
 vaunt soient faitz par ascuny  
 censures de escoungementz  
 ent faitz encountre ascun  
 esqe dEngleterre ou ascun  
 tre lige du Roi pur ce qils  
 ont fait execution des tieux  
 aundementz & qe si aucuns  
 executions des tieux transla-  
 ons soient faitz dascuns pre-  
 tz de mesme le roialme queux  
 seignurs sount moult profita-  
 es & necessairs a nostre dit  
 seignur le Roi & a son roiaume  
 silit ou qe ses sages lieges de  
 son conseil saunz son assent &  
 icountre sa volente soient  
 stretz & esloignez hors du  
 roialme siqe lavoit & tresor du  
 Vol. II roialme

*cases specially. And in all other  
 cases which shall be attempted a-  
 gainst the same crown and regality  
 in all points with all their power.*  
*(4) And moreover it was deman-  
 ded of the lords spiritual there  
 being, and the procurators of o-  
 thers being absent, their advice  
 and will in all these cases; which  
 lords, that is to say, the arch-  
 bishops, bishops, and other prelates,  
 being in the said parliament sever-  
 ally examined, making protesta-  
 tions, that it is not their mind to  
 deny, nor affirm, that the bishop  
 of Rome may not excommunicate  
 bishops, nor that he may make  
 translation of prelates after the  
 law of holy church, answered and  
 said, That if any executions of  
 processe made in the King's court  
 as before be made by any, and cen-  
 sures of excommunications to be  
 made against any bishops of Eng-  
 land, or any other of the King's  
 liege people, for that they have  
 made execution of such command-  
 ments; and that if any executions  
 of such translations be made of any  
 prelates of the same realm, which  
 prelates be very profitable and ne-  
 cessary to our said lord the King,  
 and to his said realm, or that the  
 sage people of his council, without his  
 assent, and against his will, be  
 removed and carried out of the  
 realm, so that the substance and  
 treasure of the realm may be con-  
 sumed, that the same is against  
 the King and his crown, as it is  
 contained in the petition before  
 named. (5) And likewise the same  
 procurators, every one by himself  
 examined upon the said matters,  
 have answered and said in the  
 name, and for their lords, as the  
 said bishops have said and an-  
 swered, and that the said lords spi-  
 ritual will and ought to be with  
 the King in these cases in tow-  
 fully maintaining of his crown,  
 A a and*

The promise  
 of the lords  
 spiritual  
 touching the  
 commons  
 petition.

The promise  
 of the procu-  
 rators of the  
 lords spiritual  
 being absent.

**Præmunire**  
for purchasing  
of bulls or o-  
ther instru-  
ments from  
Rome, or else-  
where.  
27 Ed. 3. Stat. 1.  
c. 1.  
7 R. s. c. 22.

and in all other cases touching his crown and his regalty, as they be bound by their liegeance; (6) whereupon our said lord the King, by the assent aforesaid, and at the request of his said commons, hath ordained and established, That if any purchase or pursue, or cause to be purchased or pursued in the court of Rome, or elsewhere, by any such translations, processes, and sentences of excommunications, bulls, instruments, or any other things whatsoever which touch the King, against him, his crown, and his regalty, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any other execution whatsoever within the same realm or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the King's protection, (7) and their lands and tenements, goods and chattels, forfeit to our lord the King; (8) and that they be attached by their bodies, if they may be found, and brought before the King and his council, there to answer to the cases aforesaid, (9) or that process be made against them by *Præmunire facias*, in manner as it is ordained in other statutes of provisors, (10) and other which do sue in any other court in derogation of the regalty of our lord the King.

Regist. jud. 82.  
Co. pla. 475.  
Rat. 24. 465.

& amenez devaunt le Roy & cases avaunt ditz ou que processe soit fait devers eux par *Premunire facias* en manere come est proviseurs & autres qui seuent la regalie nostre seigneur le Roy.

roialme purroit estre destruit que ce est encountre le Roi & sa corone sicome est contenuz en la petition avant nome. Et semblablement les ditz procuratours chescun par soy examine sur le ditz matieres ount respondu & dit en noun & pur leur seignurs come les ditz evesques ount dit & respondu & que les ditz seignurs esperituelles veullent & deivent estere ovesqe le Roi nostre seigneur en ceux cases loialment en sustenance de sa corone & en toutz autres cases tochantz sa corone & regalie come ils sount tenuz par leur ligeance sur quoy nostre dit seigneur le Roi del assent avaunt dit & a la priere de sa dit communalte ad ordeigne & establie que si ascun purchase ou pursue ou face purchacer ou poursuivre en la courte de Rome ou aillours ascuns tieux translations processees & sentences de escomengementz bulles instrumentz ou autre chose queconque que touche le Roi nostre seigneur encountre luy sa corone & regalie ou son roialme come devant est dit & ceux que les porte deinz le roialme ou les resceive ou face ent notification ou autre execution queconque deinz mesme le roialme ou dehors soient ils leur notairs procuratours meintenours abettours fauteurs & conseillours mys hors de la protection nostre dit seigneur le Roy & leurs terres & tenements biens & chatieux forfaitz au Roy nostre seigneur & qils soient attachez par leur corps ils purront estre trevez son conseil pur y respondre es autres estatutz des en autry courte en derogation de

## C A P. VI.

*A repeal of part of the statute of 13 R. 2. stat. 2. c. 1. touching his forfeiture that obtaineth a pardon.*

**I**TEM come en un article dun estatut fait a parlement tenuz a Westm' Lunedy prochein apres le fest de seint Hil-ler lan xiii. nostre seigneur le Roy qore est ordeigne fuisit & graunte qe nulle chartre de pardon delors ferroit allowe devaunt queconques justices pur murdre mort de homme occys par agaitte assaute ou malice prepenſe treson ou rape de femme si mesme le murdre ou mort de homme occys par agaitte assaut ou malice prepenſe treson au rape de femme ne feussent especifiez en mesme la chartre & si chartre de mort de homme feusse alegge devaunt queconques justices en quelle chartre ne feusse especifiez qe celui de qi mort aucune tiel feusse arene feusse murdre ou occys par agaitte assaut ou malice prepenſe enquergeroient les justices par bone enqueste del visne ou le mort feust occys cil feust murdre ou occys par agaitte assaut ou malice prepenſe & s'ils troeverent qil feust murdre ou occys par agaitte assaut ou malice prepenſe ferroit la chartre disallowe & outre fait solonc ceo qe la ley demaunderoit les queux choses nostre seigneur le Roi voet & grante qils soient fermement tenuz & gardez. Et outre de lasent des seignurs en cest present parlement & a la prier de sa dit communalte ad ordeigne & graunte qe le remenant du dit article soit de tout ouste repelle & ad nulle cest assavoir "Qe si aucun prieroit ou Roy &c. ad finem cap."

**I**TEM, whereas in an article of a statute made in the parliament holden at Westminster, the Monday next after the feast of St. Hillary, the thirteenth year of the reign that now is, it was ordained and granted, That no charter of pardon from thence should be allowed before any justices for murder, death of a man slain by await, assault, or malice prepenſed, treason, or rape of a woman, if it were not specified in the same charter. (2) And if any charter of the death of man were alledged before any justices, in which charter was not specified, that he of whose death any such was arraigned, was murdered, or slain by await, assault, or malice prepenſed, the justices should enquire by a good inquest of the Visne where the dead person was slain, if he were murdered or slain by await, assault, or malice prepenſed; and if they should find that he was murdered or slain by await, assault, or malice prepenſed, the charter should be disallowed, and moreover done as the law should require; which things our lord the King doth will and grant, that they shall be firmly holden and kept. (3) And moreover, by the assent of the lords in this present parliament, and at the prayer of the commons, he hath ordained and granted, That the residue of the said article shall be wholly out, repealed, and adnulled; that is to say, if any sue to the King for a charter of pardon for murder, death of man slain by await, assault, or malice prepenſed,

In a pardon of murder, treason, or rape, the offence shall be comprised.

A confirmation of the first part of the statute 13 R. 2. stat. 2. c. 1. and a repeal of the latter part thereof.

penfed, or rape of a woman, if the chamberlain indorfe, or caufe to be indorfed fuch bill, he fhall put the name of him that maketh fuit for fuch a charter upon the fame bill, upon pain of a thoufand marks; and if the under chamberlain indorfe fuch bill, he fhall do likewise, upon pain of five hundred marks. (4) And that none other but the chamberlain or under-chamberlain fhall indorfe, or caufe to be indorfed any fuch bill, upon pain of a thoufand marks. (5) And that no warrant of the privy feal fhall be made to have a charter, except the keeper of the privy feal have fuch bill indorfed or figned by the chamberlain or under-chamberlain as afore. (6) And that no charter of pardon of treason, or of other felony, fhall pafs the chancery without warrant of the privy feal, but in cafe where the chancellor may grant it by his office without fpeaking thereof to the King. (7) And that he at whole fuit any charter of pardon for murder, death of man flain by await, affault, or malice prepenfed, treason or rape of a woman, fhall be granted, if he were an archbifhop or a duke, he fhall pay to the King a M li. if he were a bifhop or an earl, he fhall pay to the King a M marks; and if he were an abbot, prior, baron, or baronet, he fhall pay to the King 500 marks; and if he were a clerk, bachellor, or other of lefs eftate, of what condition that he be, he fhall pay to the King two hundred marks, and fhall have a year's imprifonment: (8) becaufe that the faid commons of the realm fithence have perceived great grievance of this ordinance aforefaid, for that many people for malice have indicted divers perfons of murder, death of a man flain by await, affault, and malice prepenfed, and treason, where in truth there was no fuch caufe, to the intent that no man fhould be bold to fue to the King our lord for fuch charter.

The forfeiture of him at whole fuit the pardon aforefaid is obtained.

**R**EX vicecomiti Kanc' salutem. Quoddam statutum in parlamento nostro apud Wynton' in octabis sancti Hillarii ultimo preteritis convocato de assensu prelatorum magnatum & communitatis regni nostri Anglie ibidem existentium ad communem utilitatem populi ejusdem regni editum tibi mittimus sigillo nostro consignatum mandantes quod statutum predictum ac omnes & singulos articulos in eodem contentos infra ballivam tuam in locis ubi melius expedire videris legi & publice proclamari ac quantum ad te pertinet inviolabiliter observari facias. T. R. apud Westm' primo die Maii.

Per ipsum Regem.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam ac Johanni duci Aquitanie & Lancastrie & ejus cancellario in dicto ducatu Lancastrie sub eadem data.

Per ipsum Regem.

statutes made at *Westminster*, Anno 17 RICH. II.  
and *Anno Dom.* 1393.

LES sont les choses ordeignez & establiz par nostre seigneur le Roi a son parlement a Westminster al quinzeime de seint Hilary lan de son regne dys & assise par assent du dit parlement les quelles il voet & commande qils soient fermement tenez & gardez solonc la purport d'elles.

THESE be the things ordained and established by our lord the King at his parliament holden at Westminster the fifteenth day of St. Hillary, the seventeenth year of his reign, by the assent of the said parliament, which he doth will and command, that they shall be firmly holden and kept after the purport of the same.

### CAP. I.

There shall be no melting of money to make any thing thereof.  
*Foreign money shall not be current.*

Primerement qe come ordeigne fuisse par le noble seigneur EDWARD aiel nostre seigneur le Roi lan de son regne come qe null esterlyng maiel esterlyng soit foundu par vesnautre chose ent affaire par seigneur nautres sur peine de forfaiture de monioie fondu & emprisonnement del foundour qui avera renduz au Roi la poite de ceo qil avera issint foundu nientcontrestant chartre ou franchise grantez ou usez contraire accordez est & assintuz qe la dite ordinance soit fermement tenez & gardez. Et en outre est ordenez & assintuz qe nul groat ne dimy groat soit fondu par nully pur vessel nautre chose ent affaire ne mesme la peine. Et qe nul monioie dore ne d'argent de Escocce ne des autres terres dela la meer ne burge en null manere paient deinz le roialme d'Engleterre mais soit portez a la bulion pur y estre tournes en la poigne d'Engleterre sur peine de forfaiture dicelle & demprisonnement & fyn & ranceon de quel qe face le contraire & qe nul

FIRST, where it was ordained by the noble King EDWARD, grandfather to our lord the King, the ninth year of his reign, that no sterling, half-penny nor farthing, shall be molten for vessel, nor other thing thereof to be made by the goldsmith, nor others, upon pain of forfeiture of the money so molten, and imprisonment of the founder, till he have yielded to the King the half of that which he hath so molten, notwithstanding any charter or franchise granted or used to the contrary; it is accorded and assented, That the said ordinance shall be firmly holden and kept. And moreover it is ordained and assented, That no groat nor half groat shall be molten by any man to make vessel, or other thing thereof, upon the same pain. And that no gold nor silver of Scotland, nor of other lands beyond the sea, shall run in any manner of payment within the realm of England, but shall be brought to the bulion, there to be molten in the coin of England, upon pain of forfeiture of the same, and of

9 Ed. 3. stat. 2.  
c. 3.  
No sterling money shall be melted for vessel;

nor groat, nor half groat.  
17 Ed. 4. c. 1.

No foreign coin shall be current in England;



nor exchange made of English money for Scottish money.

19 H. 7. c. 5.  
23 & 24 Car. 2.  
6. 31.

imprisonment, fine, and ransom of him which doth contrary; and that no man shall send any *English* money into *Scotland* to change the same in money, or for *Scottish* money, upon the pain next aforesaid.

nul porte nenvoie aucune monnoie d'Engleterre en Escoce par le chaunger en monnoie ou pur monnoie d'Escoce sur la peine profcheine avaunt dite.

### C A P. II.

*Every person may make cloth of what length and breadth he will.*

4 H. 4. c. 24.  
Rep. 5 & 6 Ed.  
6. c. 6.

Every man may make cloth of what length and breadth he will.

No cloth shall be sold before it be measured and sealed by the aulneger.

There shall be no deceit in cloths.

What to be understood by the word cloth, see 47 Ed. 3. c. 1.  
21 H. 6. c. 9.  
\* Or mingle cauce.

**I**TEM, That every man of the realm may make, and put to sale and sell cloths, as well kerseys as others, of such length and breadth as him please, paying the aulnage, subsidy, and other duties; that is to say, of every piece of cloth after the rate, notwithstanding any statute, ordinance, proclamation, restraint, or defence made to the contrary, And that none shall sell or put to sale any cloths before that they be measured by the King's aulneger, and sealed with the seal to that ordained, upon the pains contained in the statutes thereof made. And that no man shall put, mingle, cause, \* nor make other deceit in the cloths of kerseys, upon pain of forfeiture of the same.

**I**TEM que chescun homme de roialme purra faire metre a vent & vendre draps si bien de kerseys come autres de tiel longure & laeure come luy plerra paiant launage subsidio & autres devoirs cessant voir de chescune pece de drap solone lasserant nientcontesteant alcuna estatut ordonnance proclamation restreint ou defense fait au contraire. Et que nully vende ne mette a vendre aucuns draps avaunt qu'ils soient aunez par launour du Roi & ensealles du seal a ceo ordonnee sur les peines contenues en lestatutz ent faitz. Et que nully mette ne melle cauce ne face autre fraude en les draps de kerseys sur peine de forfaiture dicelles.

### C A P. III.

*What sort of worsteds may be carried forth of the realm, and what not.*

Ex edit. Pult.  
What sort of worsteds may be carried forth of the realm and what not.

**I**TEM, That the merchants and workers of cloths called single worsteds, may carry bolts of single worsted to what parts they will (except to the King's enemies) paying the customs and subsidies thereof due, without paying the duties of *Calais*, notwithstanding any statute, ordinance, proclamation, inhibition, commandments or charters, liberties, usages, or privileges, granted or to be granted to the burgessees of *Calais*, or to the merchants of the staple of *Calais*, or to any other made or to be made to the contrary. And that the obligations and sureties taken before this time for the duties of *Calais*, shall be restored and delivered. Provided always, That under the colour of the said bolts of single worsted, they shall carry no double worsteds

nor half double, nor worsteds ray, nor motley, upon pain of forfeiture of the same.

## C A P. IV.

*Malt sold to London shall be cleansed from the dust.*

**I**TEM qe les breees qe serra fait en les countees de Huntyngdon Canteb<sup>r</sup> Hert<sup>r</sup> North<sup>r</sup> & Bed<sup>r</sup> qe serra venduz & amenez a la citee de Londres pur vitailer loftiel du Roi & les hostielx dautres seignurs & gentils illoeqes demorantz & repeirantz & auxint pur sustenance de tout le poeple de dite citee soit bien & convenablement nettez moundez & purifiez devaunt le vent dicell de poudre & de tout autre ordure issint qe les achatours purront avoir oept buffelx de pure breees pur le quarter. Et qe les mairs bailiffs & gardeins des villes & lieux ou tiel breees serra venduz eient poair a chefcunq seute qe pleindre se voudra de veer & sercher le dit breees & si defaute soit trove dent faire due redresse.

**I**TEM, That the malt which shall be made in the counties of *Huntingdon, Cambridge, Northampton, and Bedford*, that shall be sold and brought to the city of *London*, to victual the King's household, and other lords households, and gentlemen's there dwelling and repairing, and also for sustenance of all the people of the said city, shall be well and sufficiently sifted, cleansed, and purified, before the sale of the same, from dust and all other filth, so that the buyers may have eight bushels of clean malt for the quarter. And that the mayors, bailiffs, and wardens of towns and places where such malt shall be sold, shall have power at every man's suit that will complain, to see and search the said malt, and if default be found thereof, to make due redress.

Malt sold to London shall be cleansed from dust.

4 Inst. 57.  
2 & 3 Ed. 6.  
c. 10.

## C A P. V.

*A searcher, gauger, aulneger, customer, shall have no assured estate in his office.*

**I**TEM ordeignez est & establi qe null sercheour gaugeour des vins auneour tronour ou peisour de leynes ou ascuns autres merchandises collectours du custumes & subsidies quecunqes ou controllour eit estat en son office a terme de vie ou des ans eins qe les ditz offices demurgent es mains du Roi souz governance del tresorer pur le temps esteant ovesqe lassent du conseil quant y boisoigne & si ascuns chartres ou lettres patentes soient faitz au con-

**I**TEM, It is ordained and established, That no searcher, gauger of wines, aulneger, sinder<sup>b</sup>, nor weigher of wools, or any other merchandises, collector of customs and subsidies whatsoever, or comptroller, shall have estate in his office for term of life, or of years; but that the said offices shall remain in the King's hands under the governance of the treasurer for the time being, with the assent of the council, when need is; and if any

Dyer, 303.

<sup>b</sup> *Tronour.*

Officers removable at the King's pleasure.

4 Mod. 276,  
277.

1 R. 2. c. 10.  
- C. 13.  
4 H. 4. c. 24.  
31 H. 6. c. 5.

charters or letters patents be made to the contrary, they shall be clearly adnulled, void, and of none effect.

contraire soient outrement voides & de null effect.

## CAP. VI.

*Upon an untrue suggestion in the chancery, damages may be awarded.*

Upon an untrue suggestion made in the chancery against any man, the chancellor may award damages.

**I**TEM, forasmuch as people be compelled to come before the King's council, or in the chancery, by writs grounded upon untrue suggestions; That the chancellor for the time being, presently after that such suggestions be duly found and proved untrue, shall have power to ordain and award damages according to his discretion, to him which is so troubled unduly, as afore is said.

**I**TEM qe qant gentz, sont faitz venir devaunt le conseil du Roi ou en la chancellerie par briefs founduz sur suggestions nient vrais qe le chancellor pur le temps esteant maintenant apres qe tielx suggestions sont dument trovez & provez nient veritables eit poair dordeigner & agarder damages solonc sa discretion a celuy qest issint travailleez noun ducinent come desuis,

75 H. 6. c. 4.  
4 Inlt. 82.

## CAP. VII.

*All the King's subjects may carry corn out of the realm when they will.*

Ex edit. Raft.  
Corn.

**I**TEM, the King, at the request of the commons to him made in this present parliament, hath granted licence to all his liege people of his realm of England, to ship and carry corn out of the said realm, to what parts that please them, except to his enemies, paying the subsidies and devours thereof due; notwithstanding any ordinance, proclamation, or any defence made before this time to the contrary: nevertheless he will, That his council may restrain the said passage when they shall think best for the profit of the realm.

Rep. 21 Jac. 1.  
c. 28.

## CAP. VIII.

*The sheriffs, and all other the King's officers, shall suppress rioters, and imprison them, and all other offending against the peace.*

Altered by  
13 H. 4. c. 7.  
1 Hale's Hist.  
Pl. Cr. 496.  
1 Hawk. Pl. Cr.  
361.

**I**TEM, whereas at the parliament holden at Westminster, the tenth year of the reign of our sovereign lord the King that now is; forasmuch as villains and other offenders of late have risen by assemblies and outrageous number in divers parties of the realm, against the King's dignity and his crown, and the laws of his land; it was straitly defended by the King

**I**TEM coment qa parlement tenuz a Westm' lan du regne nostre seigneur le Roy qore est quint pur ceo qe villeins & autres meffecours tard devant leverent par assemblees & outrageouse nombre en diverses parties de roialme encontre la dignitee nostre seigneur le Roy & la corone & les leies de sa terre defendu fuist par nostre seigneur le

le Roi estroitement a touz maners des gentz que nul deors serroit ou recomenceroit tielx riot ou rumour nautres semblables et si nully le serroit & ceo prove duement serroit fait de luy come de traitour au Roi & son roialme nientmeins grevoufe pleint fuisit fait a nostre dit seigneur le Roi en cest present parlement que diverses gentz nient eiantz consideration a dit defense sibien en les countees de Cestre Lancastre & aillours en Engleterre ont faitz tielx assemblees en outrageouse nombre pur accomplir lour malice encontre la pees nostre seigneur le Roi sa corone & sa dignite & les leies de sa terre par quoi nostre seigneur le Roi en cest present parlement ad defendu a touz ses lieges sibien seignurs come autres de quecunqe estat qils soient que null face tielx assemblees riot ou rumour encontre la pees en nul manere et si ascun tiel assemble soit comencant a pluis tost que viscontz & autres ministres le Roi poent avoir conissance ove la force du countee & pais ou tiel cas aviegne mettent destourbance encontre tiel malice ove tout lour poair & preignent tielx messelours & les mettent en prisone tanqe due execution de leie soit fait de eux & que touz seignurs & autres liges du roialme soient entendantz & aidantz de tout lour force & poair as viscontz & ministres avantditz en tiel cas.

*King to all manner of people; That none from henceforth shall make, or begin again such riot or rumour, nor other like; and if any man did, and that duly proved, he should be taken as a traitor to the King and his realm. Nevertheless a grievous complaint was made to our sovereign lord the King in this present parliament, That divers people not having consideration to the said defence, as well in the counties of Chester, Lancaster, and elsewhere in England, have made such assemblies in outrageous manner, to accomplish their malice against the King's peace, his crown, his dignity, and the laws of his land: wherefore our sovereign lord the King in this present parliament hath defended to all the liege people, as well lords as other, of whatsoever estate that they be, that none shall make such assemblies, riot, or rumour against the peace in no-wise; and if any such assembly be begun as soon as the sheriffs and other the King's ministers may thereof have knowledge, they with the strength of the county and country, where such case shall happen, shall set disturbance against such malice with all their power, and shall take such offenders, and them put in prison, till due execution of the law be of them made, and that all lords and other liege people of the realm, shall be attending with all their strength and power to the sheriffs and ministers aforesaid.*

## C A P. IX.

*Justices of peace shall be conservators of the statutes made touching salmons.*

**I**TEM come contenu soit en en lestatut de Westm' seconde

**I**TEM, where it is contained 13 Ed. 1. stat. 1. c. 47.  
in the statute of Westminster 13 R. 2. stat. 1. c. 19.

*the second, that young salmons shall not be taken or destroyed by nets, or by other engines, at the stanks of mills, from the midst of April till the nativity of St. John the Baptist, upon a certain pain limited in the same statute: and whereas by a statute made the xiii. year of the King that now is, it was ordained, That the said statute of Westminster the second should be firmly holden and kept, (2) joining to the same, That young salmons should not be taken at the mills, stanks, or elsewhere, upon the same pain: and that no fisher nor garthman, nor none other, of what estate or condition that he were, should not put from henceforth in the waters of Thame, Humber, Ouse, Trent, nor none other water of the realm, by the said time, nor by none other time of the year, any nets called stalkers, nor other nets or engines whatsoever, whereby the fry or breed of salmons, lampreys, or of any other fish whatsoever, may in any wise be taken or destroyed, upon the pain aforesaid. And also it was rehearsed in the said statute, made the said thirteenth year, that where it is contained in the same statute of Westminster, that all the waters, in which salmons be taken in the realm, shall be put in defence, as to the taking of salmons, from the day of the nativity of our Lady, till St. Martin's day; it was ordained and assented in the said statute made in the said xiii. year, That the waters of Lons, Wyre, Mersee, Rybbyl, and all other waters in the county of Lancaster, should be put in defence, as to the taking of salmons, from the day of St. Michael till the day of the Purification of our Lady, and in none other time of the year, because that salmons be seasonable in the*

Stalkers nor other nets shall be used to destroy the fry or breed of fish.

conde qe salmosfeux ne soient prizez ne destruitez par rees ne par autres engines a lestankes de molyns de dmy April tanqe la nativite de seint Johan le Baptistre sur certeine peine limite en mesme lestatur. Et come par estatut fait lan treszime nostre seigneur le Roi qore est ordeigne fust qe le dit estatut de Westm' seconde seroit fermement tenuz & gardez a joustre a icell qe salmosfeux ne fussent prizez a lestanker des molyns nallours sur mesme la peine & qe null peshour ne garthman ne null autre de quel estat ou condition qil fust ne mettroit delors en avaunt en les eawes de Thameise Humber Ouse Trent ne nulle autre eawe du roialme par le dit temps ne par null autre temps del an ascuns rees appelez stalkers nautres rees nenignes quecunqes par les quels le frie ou brood des salmons laumprais ou dautre pessoun quecunqe purra en ascun manere estre pris ou destruitez sur la peine fuissite. Et auxint fuit reherce en le dit estatut fait lan treszime avaunt qe come contenu soit en mesme lestatur de Westm' qe touz les eawes en queux salmons sont prises en le roialme soient misez en defense qant al prise des salmons del jour de la nativite de nostre Dame tanqal jour de seint Martyn ordeigne fuist & assentuz en le dit estatut fait lan treszime qe les ewes de Lone Wyre Merse Ribbill & toutz autres ewes el conte de Lancastre furent misez en defense qant al prise de salmons del jour de seint Michel tanqal jour de la Purification nostre Dame & en null autre temps del an a cause qe salmons ne sont pas seisonables

es en les ditz ewes par le  
 temps fuïsdit. Et qe es par-  
 es ou tielx rivers sont serroit  
 assignez & jurrez bones &  
 suffisantz conservatours de dit  
 estatut fait lan treszime come  
 list ordeigne en le dit estatut de  
 Westm' & qils punissereient les  
 espasours sur la peine conte-  
 nue en mesme lestatut de  
 Westm' sanz ascuni favour ent  
 re queux estatutz nount pas  
 le duement executz tanqe en  
 la pur defaute de bones con-  
 servatours a ceo qe nostre seig-  
 ur le Roi ad entendu par pleint  
 luy fait en cest present parle-  
 ment par qei acorde est & as-  
 sentu qe les justices de la pees  
 de toutz les countes dEngle-  
 terre soient conservatours des  
 ditz estatutz en les countees ou  
 ils sont justices & que eux &  
 chescun de eux a touz les foitz  
 quant ils poient entendre survein-  
 t les mesprisions & defautes  
 attemptez encontre les estatutz  
 vaunt ditz & auxint serveient  
 & serchent touz les gors en  
 tielx rivers qils ne soient trop  
 estreitz pur destruction de tiel  
 rie & brood mes de resonable  
 verture solonc launcien assise  
 & qe mesmes les justices ou  
 chelli de eux qe trove defaute ou  
 mesprisison encontre les estatutz  
 vaunt ditz facent due punisse-  
 ment des trespasours solonc la  
 contenue de mesmes les esta-  
 tutz. Et qe mesmes les justices  
 nettent bons & suffisantz sub-  
 conservatours de mesmes les  
 estatutz desoutz eux qe soient  
 jurez de faire semblable sur-  
 veue serche & punissement sanz  
 ascun favour ent faire. Et qe  
 outre ceo mesmes les justices  
 en lour sessions enquergerent si-  
 bien de leur office come al in-  
 formation des subconservatours  
 avant ditz de touz trespases  
 mes-

*the said waters by the time afore-  
 said. And that in the parts  
 where such rivers be, good and  
 sufficient conservators of the said  
 statute made the said thirteenth  
 year should be assigned and sworn,  
 as it was ordained in the statute  
 of Westminster, and that they  
 should punish the offenders upon  
 the pain contained in the same sta-  
 tute of Westminster, without  
 shewing any favour thereof;  
 which statutes have not been hi-  
 therto duly executed for default of  
 good conservators, as our said  
 lord the King hath perceived by  
 complaint to him made in this pre-  
 sent parliament: wherefore it is  
 accorded and assented, That  
 the justices of the peace of all  
 the counties of England, shall  
 be conservators of the said sta-  
 tutes in the counties where they  
 be justices; and that they and  
 every of them, at all times when  
 they may attend, shall survey  
 the offences and defaults at-  
 tempted against the statutes  
 aforesaid, and also shall survey  
 and search all the weirs in such  
 rivers, that they shall not be  
 very strait for the destruction of  
 such fry and brood, but of rea-  
 sonable wideness after the old  
 assise used or accustomed; and  
 that the same justices, or any  
 of them, which shall find de-  
 fault or abuse against the sta-  
 tutes aforesaid, shall make due  
 punishment of them which be  
 found in default after the con-  
 tent of the same statute. And  
 that the same justices shall put  
 good and sufficient under-con-  
 servators of the same statutes  
 under them, which shall be  
 sworn to make like surveying,  
 search, and punishment, with-  
 out any favour thereof to be  
 shewed. And moreover, that  
 the same justices, in their ses-  
 sions,*

The justices of  
 peace shall be  
 conservators  
 of the statute  
 of 13 Ed. 1.  
 stat. 1. c. 47. and  
 13 R. 2. stat. 1.  
 c. 19.

Under confer-  
 vators ap-  
 pointed by the  
 justices.

sions, shall inquire as well by their office, as at the information of the under conservators aforesaid of all trespasses, misprisions, and defaults made against any of the points aforesaid, and shall cause them which be thereof indicted, to come before them, and if they be thereof convict, they shall have imprisonment, and make fine after the discretion of the same justices; and if the same be at the information of any of the under-conservators aforesaid, the same under-conservator shall have the halt of the same fine. And forasmuch as it is granted to the citizens of London, by the King's progenitors, that they may remove and take away all the wears in the waters of Thames and Medway, and that they shall have the punishments thereof pertaining to the King; our said lord the King, in this present parliament, by the assent aforesaid hath granted, That the mayor or warden of London for the time being shall have the conservation of the statutes aforesaid, and shall make thereof due execution, and like punishment, as afore is ordained of the justices of the peace, in the said water of Thames, from the bridge of Stanes to London, and and from thence over in the same water, and in the said water of Medway, as far as it is granted to the said citizens as afore is said.

The mayor of London shall have the conservation of the statute in the Thames.

### C A P. X.

*Two learned men in the law shall be in commission of gaol delivery.*

Two learned men in the law shall be in the commission of gaol-delivery.

**I**TEM, forasmuch as thieves notoriously defamed, and others taken with the maner, by their long abiding in prison, after that they be arrested, be delivered by charters, and favourable inquests procured, to the great hindrance of

**I**TEM pur ceo qe larons notoriously diffamez & autres prisez ove mainoeuvre par long demure en prisone apres ceo qils sont arestuz sont deliverez par chartres & favorables enquestes procurez a grant anien-

entissement du poeple accordé est & assentuz qen chescune commission de la pees parmy le roialme ou y bosoignera soient assignez deux hommes de ley de mesme le counte ou tiel commission se fra daler & proceder a deliverance des tielx larons & felons tant & si sovent come bon lour semblera.

*of the people*, it is accorded and assented, That in every commission of the peace through the realm, where need shall be, two men of law of the same county where such commission shall be made; shall be assigned to go and proceed to the deliverance of such thieves and felons, as often as they shall think it expedient.

4 Ed. 3. c. 2.  
13 R. 2. Stat. 1.  
C. 7.  
18 H. 6. c. 11.

## CAP. XI.

*That aldermen of London shall not hereafter be elected yearly, but remain until they be put out for a reasonable cause.\**

**C**OMBIEN qe ordeine & grante fuisse per le Roi EDWARD befaiel & auxint per le Roi EDWARD aiel nostre seigneur le Roy qorest qe les aldermen de la cite de Londres cesseroient & serroient remuez de lour dit office chescun an a le fest de saint Gregore & qils ne serroient mye reesluz lan proschein ensuant einz qe autres sufficantes perones du dite cite serroient chescun an de novell esluz & mys en loffices avantditz nientmeyns nostre dit seigneur le Roy pur certains causes luy especialment moevantz & mesment pur meillour governance de sa dite cite en temps avenir voet & ad ordeine par advys & assent de son conseil en cest present parlement qe desore enavant les aldermen de la dite cite ne soient oustez ne remuez du dit office de aldermanrie a le dit fest de saint Gregore ne null autre temps del an sanz honeste & resonable cause ne nulles autres esluz ne mys en lour lieux einz demoeurent avant dan en an en lour dit office tanqe ils soient remuez pur jouste & resonable cause come desuis nientcontrestantz lordinances susdites.

4 Inst. 253.

## CAP. XII.

*An explanation of the statute of 28 ED. III. c. 10. That the mayors, aldermen, &c. of London shall not incur the penalty of the said statute for erroneous judgement given, or to be given.*

**C**OME per estatut fait en temps le Roy EDWARD aiel nostre seigneur le Roy qorest lan de son regne vynt septisme soit ordine & establi qe le meir viscontz & aldermen de la cite de Londres qont le government du dite cite facent redresser & corriger les errors defautes & mesprisions qe sont notoirement usez en le dite cite pur defaute de bon government des ditz meir viscontz & aldermen & les duement punir de temps en temps sur certaine peine cestaffavoir au primer defaut mill marcz au Roy & a la second defaute deux mill marcz & a la tierce defaut qe la franchise du

Repealed  
1 H. 4. c. 15.

\* This and the two following chapters are not upon the statute-roll, but are taken from the parliament-roll, m. 25. and first printed in Mr. Cay's edition.



du dit cite soit pris en la mayn le Roy & qe chescun des ditz maire viscontz & aldermen qe vendra devant les justices le Roy en manere & forme qest ordeime per le dit estatut respoigne singularment par luy mesmes sibien as peril des autres qe sont absents come de luy mesmes Et qe ceste ordinance soit tenu ferme & estable nientcontrestant franchises privileges ou custumes queconques sicome en le dit estatut est contenuz plus au plein Et ore nostre seigneur le Roy eiant consideration a la generalte des ditz paroles cestassavoir errors defautes & mesprisions & as diverses entendementz qent purront estre conceuz si ad a la supplication de les meir viscontz & aldermen de la dite cite declare & grante per advys & assent des seignurs espirituels & temporels en cest present parlement qil nest pas sa volunte ne son entent ne lentent du dit estatut qe le meir viscontz & aldermen du dit cite qore sont ou ont estez devant ces heures ou enapres nencourgent ne portent la peine du dit estatut pur aucun jugement erroigne renduz ou a rendre en la dite cite.

## CAP. XIII.

*The people of the ward of Farringdon without shall elect an alderman.*

**I**TEM come la garde de Faryndon dedeins & dehors de la citee de Loundres est taunt encresteez des possessions & enhabitanz en icelle en poi des ans passez qe la governance dicell est trop laborouse & grevoue pur une persone de le occuper & duement gouverner nostre seigneur le Roy per assent de son conseil en cest present parlement a la priere del maire aldermans & la cominalte du dite citee ad ordeinez & grantez qe perentre cy & le fest de seint Gregoire proschein avenir les gentz de la dite garde de Faryndon dedeins puissent eslire un alderman sage sufficeant & able pur gouverner mesme la garde dedeins & estre nome lalderman de la garde de Faryndon dedeins et qe perentre cy & le dit fest de seint Gregoire les gentz de la garde de Faryndon dehors puissent eslire un autre alderman sage sufficeant & able pur gouverner mesme la garde dehors & estre nomez lalderman de la garde de Faryndon dehors Et qe les ditz deux aldermans issint ciluz puissent estre establiz & nemye remoez si noun pur cause resonable come ordeinez est & grantez per nostre dit seigneur le Roi en cest parlement des autres aldermans du dite citee.

*De proclamatione statutorum proclamand.*

**R**EX vicecomiti Kanç salutem. Quoddam statutum in ultimo parlamento nostro apud Westm' tento per nos de assensu magnatum & communitatis regni nostri Anglie nobiscum ibidem assistentium editum tibi mittimus in forma patenti mandantes quod statutum illud & omnes & singulos articulos in eodem contentos in civitatibus burgis villis mercatorijis & aliis locis infra ballivam tuam ubi melius expedire videris publice proclamari & quantum ad te pertinet firmiter & inviolabiliter observari facias. T. R. apud Westm' primo die Junii.

Per ipsum Regem & consilium.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam ac Johanni duçi Aquitanie & Lancastrie vel ejus cancellario in eodem ductu Lancastrie sub eadem data.

statutes made at *Westminster*, Anno 20 RICH. II.  
and *Anno Dom.* 1396.

Le Roy en son parlement tenuz a Westm' en la feste de Seint Vincent lan de ce roialme vintisme del assent des prelatz seignurs & communes de son roialme en mesme le parlement pur quiete & tranquillite de son poeple ad certain estatutz & ordonances qensuient.

**T**HE King at his parliament holden at Westminster in the feast of St. Vincent, the twentieth year of his reign, by the assent of the prelates, lords, and commons of his realm of England, assembled in the same present parliament, for the quietness and tranquillity of his people, hath made certain statutes and ordinances in the form which followeth :

CAP. I.

*No man shall ride or go armed. Launcegays shall be put out.*

Primerement come en un estatut fait lan septisme du regne nostre seigneur le Roy soit ordeignez & assentuz qe nulle homme chivache deins le roialme armez contre la fourme de cestatut de Northampton ce fait ne ovesqe lancegayes deins mesme le roialme & qe les ditz lancegayes soient deus outes deins le dit roialme me chose defendue par le Roy sur peyne de forfaiture des lancegayes armures & autres hernoys quelconques es mains & possession dycelx qui portera delors deinz mesme le roialme encontre ycelles estatutz & ordonances sanz espeial congie du Roy. Nostre seigneur le Roy considerant le grant clamour a luy fait en cest present parlement de ce qe le dit estatut nest mye tenuz & ad ordeignez & establiz en mesme le parlement qe les ditz estatutz soient pleinement tenuz & gardez & duement executez et qe les ditz lancegayes soient tout overtement outes de la peine contenue en le dit estatut

**F**IRST, whereas in a statute made the seventh year of the reign of the King that now is, it is ordained and assented, That no man shall ride armed within the realm, against the form of the statute of Northampton thereupon made, nor with launcegays within the same realm; (2) and that the said launcegays shall be utterly put out within the said realm, as a thing prohibited by the King, upon pain of forfeiture of the same launcegays, armours, or any other harness, in the hands and possession of them that bear them from henceforth within the same realm against the same statutes and ordinances, without the King's special licence: (3) our lord the King, considering the great clamour made to him in this present parliament, because that the said statute is not holden, hath ordained and established in the said parliament, That the said statutes shall be fully holden and kept, and duly executed, and that the said launcegays shall be clear put out upon the pain contained in the said statute

7 Ed. 1. stat. 1.  
2 Ed. 3. c. 3.  
7 R. 2. c. 13.

Launcegays shall be clearly put out.

3 Mod. 117.  
No man shall  
go or ride  
armed.

The statute of  
1 R. 2. c. 7.  
touching giv-  
ing of liveries  
confirmed.

tute of *Northampton*, and also to make fine and ransom to the King. (4) And moreover, That no lord, knight, nor other, little nor great, shall go nor ride by night nor by day armed, nor bear fallet nor skull of iron, nor of other armour, upon the pain aforesaid, save and except the King's officers and ministers in doing their office. (5) And moreover the King will and hath ordained, That the statute made the first year of his reign, of liveries of hats, shall be holden and kept upon the pain contained in the same statute, and upon pain to be imprisoned, and make fine and ransom to the King.

estatut de *Norhampton* & outre de faire fyn & ranceoun au Roy. Et outre ce que null seigneur chivaler nautre petit ne grant aile ne chivache par noef ne jour armez ne porte palet ne chapell de ferre nautre armure sur la peine susdite Sauvez & exceptz les officers & ministres du Roy en faisantz leur offices. Et outre ce le Roy voet & ad ordeignez que lestatut fait lan de son regne primere de liverree des chaperons soit tenuz & gardez sur la peire contenue en mesme lestatut & sur peine destre emprisonnez & de fair fyn & ranceoun au Roy.

## C A P. II.

*Who only may wear another's livery.*

Ex edit. Raft.  
Livery, justices  
of peace.

**I**TEM, That no varlets called yeomen, nor none other of less estate than esquire, shall use nor bear no sign of livery called livery of company of any lord within the realm, unless he be menial and familiar or continual officer of his said lord. And that the justices of the peace shall have power to enquire of them, which do to the contrary, and them to punish according to their discretion.

Repealed by  
3 Car. 1. c. 4.

## C A P. III.

*No man shall sit upon the bench with the justices of assise.*

No man shall  
sit upon the  
bench with the  
justices of as-  
sise.

**I**TEM, the King doth will and forbid, That no lord, nor other of the country, little nor great, shall sit upon the bench with the justices to take assises, in their sessions in the counties of *England*, upon great forfeitu e to the King; and hath charged his said justices, that they shall not suffer the contrary to be done.

**I**TEM le Roy voet & defende que null seigneur nautre du pais petit ne grant ne soit seant en bank oveisque les justices as assises prendre en leur sessions es contees d'Engleterre sur grief forfaiture vers le Roy & ad chargez ses ditz justices qils ne soeffrent le contraire estre fait.

## C A P. IV.

*A confirmation of part of the stat. of 28 ED. III. c. 13. touching merchant strangers.*

A confirmati-  
on of that part  
of the statute

**I**TEM, whereas it is contained in a statute of the late King EDWARD, grandfather to the King

**I**TEM que come il soit contenuz en un estatut de sire EDWARD nadgairs Roy d'Engleterre

gleterre ziel a nostre feignur le Roy qor est lan de son regne vynt & oetifme qe nulle manere de nies qe soit frette devers Engleterre ou aillours soit artez devenir a nul port d'Engleterre ne y demurer contre le gree des meistres & mariners dicelle ou des marchantz as queux les biens sont et si tielx nies viegneit de gree ou soient chacez par tempeste ou autre infortuné ou meschief a ascun port d'Engleterre & les meistres & mariners ou marchantz de mesmes les nies voillent vendre & deliverer partie de lour merchandises par loure boné volonte bien life a chescun sieles merchandises achatre franchement sanz empeschement en le port ou tieles nies viendront tout ne soient les merchandises mises a la terre pur vendre. Et qe les meistres mariners & marchantz apres ce qils averont issint venduz ce qe lour plerra de leur ditz biens & paie ent la custume puissent franchement departier & aler ove lour nies & tout le remenant de lour biens par la ou lour plerra sanz custume ent paié nostre feignur le Roy pur la quiete & ease de son poeple voet qe le dit estatut soit tenuz & gardez en toutz pointz & duement executez nientcontrestant aucune ordeignance ou usage au contraire.

## CAP. V.

*The penalty of him who taketh another's horse or beast for the King's service without sufficient warrant.*

**I**TEM, forasmuch as the commons have made complaint, That many great mischiefs, extortions and oppressions be done by divers people of evil condition, which of their authority take and cause to be taken royally horses and other things, and beasts out of their wains, carts, and houses, saying and devising that they be to ride on hasty messages and business, where of

*King that now is, the xxxviii year of his reign, That no manner of ship, which is freighted toward England, or elsewhere, shall be compelled to come to any port of England, nor there to tarry against the agreement of the masters and mariners of the same, or of the merchants to whom the goods be; and if such ships come of their own good will, or be driven by tempest, casualty, or other misfortune, to any port of England, and the masters or mariners, or merchants of the same ships will sell or deliver part of their merchandises with their good will, it shall be lawful to every person to buy such merchandises freely without impeachment in the port where such ships shall come, albeit the merchandises be not put to sale to the land. And the masters, mariners, and merchants, after that they have so sold so much as pleaseth them of their said goods, and the custom thereof paid, may freely depart and go with their ships, and all the remnant of their goods, where it shall please them, without paying thereof custom: our said lord the King, for the quietness and ease of his people, willeth, That the said statute shall be holden and kept in all points, and duly executed, notwithstanding any ordinance or usage to the contrary.*

of 28 Ed. 3. c. 13. which giveth liberty to strangers to come and go where they will.

truth they be in no wife privy of any bufinefs or meffage, but only in deceit and fubtilty by fuch colour and device to take horfes, and the faid horfes too haftily do ride and evil intreat having no manner of confcience or compaffion in this behalf, fo that the faid horfes become all fpoiled and foundered, paying no manner of thing nor peny for the fame, nor giving them any manner of fuffenance: (2) and alfo that fome fuch manner of people changing and altering their names, do take and ride fuch horfes, and carry them far from thence to another place, fo that they to whom they belong, can never after by any means fee them have again, nor know their faid horfes where they be, to the great mifchief, lofs, impoverifhment, and hindrance of the King's poor people, their husbandry, and of their living: our lord the King willing for the quietnefs and ease of his people, to provide remedy thereof, will and hath ordained, That none from henceforth fhall take any fuch horfe or beaft in fuch manner againft the confent of them to whom they be. (3) And if any that do, and have no fufficient warrant nor authority of the King, he fhall be taken and imprifoned till he hath made due agreement to the party.

The penalty of him who doth take any perfon's horfe, &c. to ferve the King without warrant.

## C A P. VI.

*Licence granted to Belknap, Holke, and Bourghe, to return into England, notwithstanding the ftatute of 11 Rich. II. c. 1.*

Ex edit. Raft. Pardon.

**I**TEM, our fovereign lord the King hath affented and granted of his fpecial grace, by affent and accord of all lords fpirituall and temporal, and of all the commons in this prefent parliament, to *Robert Belknap, John Holte, and William Barghe*, knights of the Bath, and dwelling in *Ireland*, That they fhall come again into *England*, there to dwell for term of their lives. And that they fhall be perfons able to the common law as the King's liege people, without being thereof impeached, notwithstanding the ftatute thereof made the xi. year of the reign of our faid fovereign lord the King. Saving always againft them, all the other points contained in the faid ftatute.

Statutes made at *Westminster*, Anno 21 RICH. II. and *Anno Dom. 1397.*

Repealed by 2 H. 4. c. 3.

**I**T is to be underftood, that our lord the King, by the grace of God King of England and of France, and lord of Ireland, at his parliament fummoned and begun at *Westminster* the Monday next after the feaft of the exaltation of the holy crofs, and from thence

**F**AIT favoir qe nostre feigneur le Roy RICHARD par la grace de Dieu Roy d'Engleterre & de France & feigneur d'Irlande a son parlement fommonez & comencez a *Westminster* Lundy prochain apres le feft del exaltation de la feinte croic

Et dilloeqes adjournez a Salop-  
 burs a la quinzeme de seint Hil-  
 ler adonques profchein en suant  
 Et illoeqes terminez al honou-  
 le Dieu & de seinte eglise &  
 our la salvation & suretee de  
 on roialme & bone govern-  
 ance de son liege poeple de las-  
 ent & accord des prelats dues  
 ontes barons & communes de  
 un roialme illoeqes assemblez  
 ed fait certeinest estatutz & or-  
 tenances qensuient.

*thence adjourned to Shrewsbury,  
 until the fifteenth of Hillary then  
 next ensuing, and there ended, to  
 the honour of God and holy church,  
 and for the preservation, salvation,  
 and surety of his realm, and good  
 governance of his people, of the as-  
 sent and accord of the prelates,  
 dukes, earls, barons, and commons  
 of his realm there assembled, both  
 made certain statutes and ordinan-  
 ces hereafter following.*

CAP. I.

*A confirmation of former liberties to the lords spiritual and  
 temporal, cities, boroughs, and commonalty.*

**F**IRST that holy church, and the lords spiritual and tempo-  
 ral, and all cities and boroughs and other commonalties of  
 the realm, have and enjoy their liberties and franchises from  
 henceforth, as they have reasonably had and enjoyed in time of  
 his noble progenitors Kings of England, and in his time.

Ex edit. Raff,

CAP. II.

*A repeal of the commission granted by the King to certain no-  
 blemen to enquire of certain abuses, and of the statute made  
 Anno 10 Rich. II.*

**T**HEM, whereas the commons of the parliament have shewed to our  
 sovereign lord the King, how in the parliament holden at West-  
 minster, the first day of October, in the x. year of his reign, Tho-  
 mas duke of Gloucester, and Richard earl of Arundel, traitors to  
 the King and his realm, and his people by false imagination and com-  
 pelling, caused a commission to be made by statute, direct to themselves  
 and other persons at their denomination, for to have the rule of the  
 King and the realm, as well within the King's house as without, in  
 the King's seignories, beyond the sea, as it is contained in the said com-  
 mission, the tenor whereof doth follow.

**R**ICHARD by the grace of God King of England and of  
 France, and lord of Ireland, to all them that these present  
 letters shall see or hear, sendeth greeting; we have certainly  
 known by the grievous complaint of the lords and the com-  
 mons, &c. as it appeareth in the x. year, rehearsing all the  
 said commission, so that the said commission and the said statute  
 touching the same commission, seemeth to the said commons to  
 be prejudicial to the King and to his crown, and usurpation of  
 the regal and royal power, and that the said duke of Gloucester  
 and earl of Arundel, did send a great man and peer of the realm  
 a message to our lord the King, who of their part said, That if  
 he would not grant and assent to the said commission and sta-  
 tute, he should be in great peril of his life, and so as well the said

Commission;

commission as the faid statute touching the faid commission, were made by constraint and compulfion, and againft the agreement of the King and his will : wherefore the faid commons pray our faid fovereign lord the King, that the faid commission, and ftatute touching the fame oommiffion, with all their dependants be repealed and utterly adnulled, as a thing done traitoroufly and againft his regal crown and dignity. Whereupon our fovereign lord the King, of the affent of all the lords fpiritual, and the proctors of the clergy, at the request of the faid commons, here hath repealed the faid ftatute in this article, and the faid commission and all the pains and dependants of the fame utterly to be adnulled for ever, for the caufes aforefaid. And moreover that the King of the affent of all the faid lords and commons, hath ordained and eftablifhed, That no fuch commission neither fuch like, be from henceforth purchafed, purfued, nor made : and he that purchafeth, purfaeth or procureth to be made any fuch commission, or any like in time coming, privily or apertly, or ufe jurisdiction or power by virtue of any fuch commission, and of the fame, be duly convicted in the parliament, he fhall be adjudged for a traitor, and that of high treason done againft the King and his crown. And the King fhall have the forfeiture of his lands, tenements, poffeffions and all other hereditaments, to him and to his heirs as well holden of himfelf as of other.

## CAP. III.

*It fhall be adjudged high treason for any perfon to compaff the death of the King, to depofe him, to make war againft him within the realm, &c.*

Br. treason. 24. **I**TEM, it is ordained and eftablifhed, That every man, which compaffeth or purpofeth the death of the King, or to depofe him, or to render up his homage or fief, or he that raifeth people and rideth againft the King to make war within his realm, and of that be duly attainted and judged in the parliament, fhall be judged as a traitor of high treason againft the crown. And he for him and his heirs fhall forfeit all the lands, tenements, and poffeffions, liberties and all other hereditaments, which he hath or any other hath to his ufe, or had the day of the treason done as well in fee tail as in fee fimple to the King and his heirs, as well fuch lands holden of other as of himfelf for ever ; and alfo fuch poffeffion as other have to his ufe. And that this ftatute fhall extend and hold place as well to them which be judged or attainted for thefe iiij. points of the faid treason in this prefent parliament, as of them which fhall be judged or attainted in the parliament in time to come of any of the iiij. points of treafons aforefaid. And it is not the mind of the King, nor of the lords, nor the affent of the commons aforefaid, that if any fuch, which forfeiteth in the manner aforefaid, be infeoffed in any land, tenement, or poffeffion to others ufe, that that fhall be comprifed in the fame forfeiture.

## CAP. IV.

*It ſhall be likewise bigb treason to attempt to repeal any judgments made by parliament againſt certain traitors.*

**I**TEM, the King, by the aſſent aforeſaid, hath ordained and **Treafon.**  
eſtabliſhed, That if any, of what eſtate or condition that he  
be, do procure or counſel to repeal, abate, reverse, or adnul, any  
of the judgments given againſt any ſtatutes or ordinances made  
in the ſame parliament or any parcel of the ſame in any wiſe,  
and that duly proved in the parliament, that he ſhall be judged  
and have execution as a traitor to the King and to the realm.  
To which ordinances and ſtatutes well and lawfully to be holden  
and kept, the lords of the realm, as well ſpiritual as temporal,  
be ſworn, and have made others before the King, as it appear-  
eth in the roll of the parliament.

## CAP. V.

*The oaths and fealty of great men ſhall be inrolled in parlia-  
ment.*

**I**TEM, moreover our ſovereign lord the King, for the more **Oath, prelates.**  
ſurety in time coming, hath ordained and eſtabliſhed, That  
the oath of the ſaid lords ſhall be put of record in the parliament  
roll. And that it be inrolled in the chancery, ſo that the ſuc-  
ceſſors of all the prelates, upon the forfeiture of their fealty for  
their temporalties before that they have livery of the ſame out  
of the chancery, ſhall make the ſame oath in all times to come.  
And alſo that all the heirs of the ſaid lords temporal in time to  
come, at the making of their homage or fealty, before that they  
have poſſeſſion of their lands out of the chancery, ſhall make  
ſuch an oath.

## CAP. VI.

*The ſons of the perſons before attainted excluded from par-  
liament, &c.*

**I**TEM, the King, at the requeſt of the ſaid commons, by the **Treafon.**  
aſſent aforeſaid, for the more ſurety of him and of his realm  
of England, and alſo of his people in time to come, hath ordain-  
ed and eſtabliſhed, That the iſſue males of ſuch perſons fore-  
judged now begotten, ſhall not come to the parliaments nor to  
the councils of the King nor of his heirs, nor ſhall not be of the  
King's council nor of his heirs. Saving always, That the iſſues  
females of the ſaid perſons forejudged, and their iſſues, which have  
other ſtrange fathers, ſhall not be indamaged by this ſtatute.

## CAP. VII.

*A repeal of the annuities, corrodi-  
es, &c. granted by thoſe  
traitors.*

**I**TEM, the King hath ordained and eſtabliſhed, That all the **Treafon.**  
annuities, fees, corrodi-  
es, and all other charges made or grant-  
ed by them or any of them that be judged traitors in the ſame



parliament, after the day of the treasons done, shall be void annulled and holden for none.

## CAP. VIII.

*The King shall have the collation to all benefices so forfeited.*

Treason.

**I**TEM, it is ordained and established, That the King shall have the presentments, gifts, and collations of all the benefices, whose advowsons were to the persons attainted in the said parliament, of every voidance fallen after the treasons of the said persons done and begun, except the benefices, of which the owners or incumbents have ratifications of our said sovereign lord the King, which owners the King will that they shall enjoy their said benefices. And saving always, That they, which be in by way of permutation with such benefices that they have thereof ratification if they will pursue.

## CAP. IX.

*The county of Chester made a principality, and several castles and towns annexed to the same.*

Chester.

**I**TEM, our sovereign lord the King hath ordained and established, for the great charity and affection that he hath in the county of *Chester*, and to the gentiles of the same, and forasmuch as the King himself before that he did take the high dignity of King, and his honourable father before him, and other his noble progenitors, have been earls of the said county of *Chester*, and for the great honour of his eldest son, if God send him any, and of his other heirs, which shall have the same feignory hereafter, by the assent and accord of all the lords spiritual and temporal, and at the prayer of the said commons, hath ordained and established, for him and his heirs, that the said county of *Chester* shall be the principality of *Chester*, from henceforth named and holden the principality of *Chester*, with all the liberties and franchises thereof had and used, and in the same manner as it hath been before, when he was named earl of *Chester*, for ever. And moreover the King, of his certain science, and by the assent and accord aforesaid, and for the increase and honour of the state of princes, which shall be there, and for the ease, concord, and tranquility of his liege people of the said principality, and of the counties of *Flint* and *Shropshire*, and of the feignories, which be joining to the same, hath granted, ordained and established, That the castle of *Lyons*, with the feignory of *Bromfield* and *Yale*, to the said castle belonging: the castle of *Chike*, with the feignory of *Chirkell* and to the said castle belonging: the castle of *Oswaldstreet*, with the town well walled with stone, and the hundred, and eleven towns to the said castle belonging: the castle of *Isabell*, with the feignory to the same, belonging to the castle of *Dallilay*, with the appurtenances in the county of *Shropshire*, and the reversion of the feignory of *Cleve*, with all their appurtenances, which *Edward* earl of *Rutland* holdeth for term of his life, all which towns, castles, and feignories aforesaid were to *Richard* late earl of *Arundel*, and which by force of the judgment

Principality of  
Chester.

ment given againft the faid earl in the faid parliament, be forfeit to our fovereign lord the King, fhall be from henceforth annexed, united, and incorporate to the faid principality of *Chefter*, and fhall wholly abide and remain to the fame principality, as parcel and a member of the fame for ever, without being given, fold, aliened, severed, or departed, from the principality, to any perfon by any way hereafter. And that no gift nor grant at any time hereafter be made of the faid principality, nor of the caftles, feignories, and towns, aforefaid, to no perfon, but all only to the King's eldeft fon, which fhall be prince there, if it pleafe the King to make him. And that the faid eldeft fon, which fhall have the faid principality, fhall have alfo the faid caftles, feignories, and towns as united and annexed to the fame principality, without being severed or departed from the fame in time to come, fo that the faid refiants land, tenants, and all the inhabitants within the faid caftles, feignories, and towns, fhall have, ufe, and enjoy, all their ancient laws, rights, and customs, there of old time reasonably had and ufed. Saved and referved always to our fovereign lord the King his regalty, liberty, and franchise, and the rights of his crown. Provided always, That the faid principality and the feignories aforefaid, fhall have and enjoy the fame laws, liberties, and customs, ufages, rights, and franchises, of old time in the fame reasonably had and ufed, as plainly and wholly as it was had and ufed before the beginning of the fame parliament: the name of the county of *Chefter* changed into the name of the principality of *Chefter*, and the annexion and union of the faid caftles, feignories, and towns to the fame notwithstanding,

## C A P. X.

*The caftles and revenues of the late earl of Warwick fhall remain in the King's hands.*

**I**TEM, at the request of the commons, and by the affent of the lords fpiritual and temporal aforefaid, it is ordained and established, That the caftle and fheriffwick of *Wincheftre*, which *Thomas* late earl of *Warwick* did hold in fee, and which by force of the judgment given againft the faid earl in the faid parliament be feized into the King's hands as forfeit, with towns and hundreds, rents and falkhoufes, as well in *Worcefter* and in the *Wich*, as elfewhere, and all other profits and things to the faid caftle and fheriffwick pertaining and belonging in any-wife or colour, as fully and wholly as the faid earl, before the faid forfeiture, had, fhall be abiding and remaining to our fovereign lord the King, and to his heirs for ever, without being given or granted to any, or to be severed from his crown at any time hereafter.

## C A P. XI.

*And likewise thofe belonging to the duke of Gloucefter.*

**I**TEM, in the fame manner, That all the hundreds, tournes, courts, liberties, and franchises, which *Thomas* late duke of *Essex* did hold in the county of *Essex* of the gift and grant of

the King, and of King EDWARD his grandfather, which of old time annexed and joynd to the sheriffwick of *Essex*, or parcell of the same, and which now by forfeiture of the said Duke, be in the King's hands as forfeit, shall be abiding and remaining to the King and to his heirs, joined, annexed, and united to the sheriffwick of *Essex*, as parcel of the same for ever, without being given or granted to any, or to be severed or departed from the same sheriffwick at any time hereafter.

## CAP. XII.

*The resolution of certain judges and others concerning some questions about treason and other offences.*

Repealed by  
1 H. 4. c. 3.

ITEM, the lords, which were appellants in the said parliament, that is to say, *Edward duke of Aumarle, Thomas duke of Surry, John duke of Exeter, John marquis of Dorset, John earl of Salisbury, Thomas earl of Gloucester, and William earl of Wiltshire*, prayed to the King, reciting and shewing, how certain lords, which be convicted and attainted, that is to say, the duke of *Gloucester* and the earls of *Arundel* and *Warwick* assembled at *Heringey*, forcibly and in great number, in the manner of war, made barriers betwixt the King and them, that the King's liege people might not approach to the King to succour him, and so came in such forcible manner to his palace of *Westminster*, arrayed in manner of war, that the King might not then resist them without great peril of his body and destruction of his people; so that by coercion and compulsion the said duke and earls made the King to summon a parliament at *Westminster*, the morrow after the Purification of our Lady, the xi. year of his reign, which parliament so begun, the said duke and earls in such forcible manner continued to the end, and in the same did give many divers judgments, as well of death of man as otherwise, upon divers of the King's liege people, and did give judgment of forfeitures, of lands, tenements, goods, and chattels, whereof they be convict of high treason, and also for certain questions, which were demanded by the King touching his estate and regalty, of certain of his justices then at *Nottingham*, the same year. And for their answers of the same given to the King upon the same questions, the same justices were forejudged of their lives and judgment given against them of forfeiture of their lands, tenements, goods, and chattles, the said duke and earls made divers statutes and ordinances in the said parliament at their will: whereupon the said appellants, considering the summons of the said parliament to be made expressly against the right of the King's crown, and contrary to the liberty and franchise of his person and royal estate, willing to acquit them to the King as his faithful liege people, prayed him that the said parliament be adnulled and clearly holden for none. And that all the judgments, ordinances, and statutes, made and given in the said parliament, and all things depending upon the same, shall be adnulled and revoked, and holden for none, as a thing done without authority, and against the will and liberty of the King, and the right of his crown.

And

Treason.

Parliament.

And that the lands, tenements, fees, and advowfons, and all other poffeffions feized by colour of the faid judgments, fhall be reftored and delivered to them which were fo judged, to them and to their heirs. And alfo the faid commons prayed to the King, as the faid appellants prayed and faid, That their intent was to have prayed likewise; and thereupon the lords fpiritual and temporal, and the procurers of the clergy feverally examined, affented exprefly, That the faid parliament, and all the ftatutes, judgments, ordinances, and all other things thereof made and followed, fhall be void and annulled and of no force nor value, and reftitution made as afore is faid. And alfo as well the lords fpiritual and temporal, and the procurers of the clergy, as the faid commons were feverally examined of the faid queftions, and of the answers of the juftices aforefaid, the tenor whereof followeth in this manner.

“ **M**EMORANDUM, *That the xxv. day of the month of*  
 “ *August, the xi. year of the reign of King RICHARD the*  
 “ *Second, at the caftle of Nottingham, before our faid fovereign*  
 “ *lord the King, Robert Tresilian, chief juftice, Robert Belknap,*  
 “ *chief juftice of the common bench, John Holte, Roger Fulthorpe,*  
 “ *and William Burghe, knights, fellows of the faid Robert Belk-*  
 “ *nap, and John Lokton, one of the King’s ferjeants at the law,*  
 “ *being personally required in prefence of the lords and other witneffes*  
 “ *under written by our faid fovereign lord the King, in the faith and*  
 “ *liegeance by which they be firmly bounden to the faid King, that they*  
 “ *fhould truly answer to certain queftions under written, and be-*  
 “ *fore them recited, and upon the fame by their difcretions to fay the*  
 “ *law.*

“ **F**IRST, it was inquired of them, whether the fame new The firft  
 “ ftatute and ordinance, and the commiffion made in the question.  
 “ laft parliament holden at *Westminster*, be hurtful to the King’s  
 “ royal prerogative.

“ Whereunto all of one mind answered, That they be hurt- The answer.  
 “ ful, and efppecially becaufe they were againft the King’s will.

“ Item, it was required of them, how they ought to be pu- The fecond  
 “ nished, which procured the faid ftatute, ordinance, and com- question.  
 “ miffion to be made.

“ Whereunto, with one affent, they answered, That they The answer.  
 “ deferved to be punifhed by capital pain, that is to fay, of  
 “ death, unlefs the King, in this part, of his grace, will pardon  
 “ them.

“ Item, it was inquired how they ought to be punifhed, The third  
 “ which excited the faid King to confent to the making of the question.  
 “ faid ftatute, ordinance, and commiffion.

“ Whereunto, of one mind, they faid, That unlefs the King The answer.  
 “ would give them his pardon, they ought to be punifhed by  
 “ capital pain.

“ Item, it was inquired of them, what pain they deferved, The fourth  
 “ that question.

“ that compelled the King to consent to the making of the said statute, ordinance, and commission.

The answer.

“ Whereunto, by one assent, they gave answer, That as traytors they ought to be punished.

The fifth question.

“ Item, how they ought to be punished, that did interrupt the King, so that he might not exercise those things that pertaineth to his regalty and prerogative.

The answer.

“ Whereunto, of one assent, it was answered, That they ought to be punished as traitors.

The sixth question.

“ Item, it was inquired of them, whether that after that the business of the realm, and the cause of the assembly of the parliament were by the King's commandment disclosed and declared in the parliament, and other articles limited by the King, upon which the lords and commons of the realm ought to proceed in the same parliament, if the lords and commons would in any-wise proceed upon other articles, and in no wise upon the articles limited by the King, till the King had answered to the articles expressed by them, notwithstanding that they were by the King enjoined to the contrary, whether the King in this case ought to have the rule of the parliament, and indeed to rule, to the intent that upon the articles limited by the King, they ought first to proceed or not, before they proceeded any further.

The answer.

“ To which question, of one mind, they answered, That the King in this part should have the rule, and so in order one after another in all other articles touching the parliament, till the end of the parliament. And if any do contrary to the rule of the King, he ought to be punished as a traitor.

The seventh question.

“ Item, it was inquired of them, whether the King, whensoever it pleaseth him, might dissolve the parliament, and command his lords and commons to depart from thence or not.

The answer.

“ Whereunto it was, of one mind, answered, That he may. And if any would proceed in the parliament against the King's will, he is to be punished as a traitor.

The eighth question.

“ Item, it was inquired, since that the King, whensoever him pleased might remove his officers or justices, and to justify and punish them for their offences, whether the lords and commons might, without the King's will, impeach the same officers and justices upon their offences in the parliament or not.

The answer.

“ To which question it was by one mind answered, That they might not. And he that doth contrary is to be punished as a traitor.

The ninth question.

“ Item, it was inquired, how he is to be punished that moved in the parliament, That the statute should be sent for whereby *Edward* the son of king EDWARD, great grandfather to the King that now is, was another time indicted in the parliament, by the inspection of which statute, the said new statute or ordinances and commission were conceived in the parliament.

“ To which question of one accord they answered, That as well he that so moved, as the other which by force of the same motion brought the said statute into the parliament-house, be as criminous and traitors worthy to be punished. The answer.

“ Item, it was inquired of them, whether the judgment given in our parliament holden at *Westminster*, against the earl of *Suffolk*, were erroneous and revocable or not. The tenth question.

“ To which question of one assent, they said, That if the same judgment were now to be given, the same justices and serjeant aforesaid would not give the same, because it seemed to them that the same judgment is revocable as erroneous in every part. The answer.

“ *In witness whereof the justices and serjeant aforesaid to this present have set their seals.* These men being witnesses, *The reverend fathers, the lords Alexander archbishop of York, Robert archbishop of Dublin, John bishop of Durham, Thomas bishop of Chester, John bishop of Bangor, Robert duke of Ireland, Michael earl of Suffolk, John Ripon Clearke, and John Blake. Dated the day, place, month, and year aforesaid.*”

Which questions and the answers of the same, as well before the King and the lords, as before the commons, were read and received, and it was demanded of all the states of the parliament, how they thought of the answers aforesaid, and they said, That they thought, that the said justices made, and gave their answers duly and lawfully, as good and lawful liege people of the King ought to do. And in the same manner Sir *Thomas of Skelton* learned in the law, and *William Hankeford*, and *William Brenchley*, the King's serjeants demanded by the King of their advice in this behalf, said that the answers were good and lawful. And that they would have given the same answers, if the said questions had been demanded of them. And my lord *William Thirning* chief justice of the common bench, said that the declaration of treason not declared, belongeth to the parliament. But if he were a lord, or a peer of the parliament, if he had been demanded, he would have said in the same manner. And in like manner said my lord *William Rikehyll*, justice of the common place, and after the coming of my lord *Walter Clopton*, chief justice, he said in likewise. Wherefore the said answers be judged and affirmed for good and sufficient in the said parliament. Whereupon the King by the assent of the lords spiritual and temporal, and the procurators of the clergy, and the said commons, and by advice of the justices and serjeants aforesaid, there being, it was awarded and judged, ordained and established, that the said parliament holden the said xi. year, shall be clearly adnulled and holden for none, as a thing made without authority, and against the will and liberty of the King and the right of his crown. And that all the judgments, statutes, and ordinances made in the same, with all things depending

ing upon the same, shall be revoked and adnulled, reversed, and clearly repealed and holden for none. And that all lands, tenements, fees, advowsons, and all other possessions seized as forfeit by colour of the said judgments, shall be restored and delivered to them which were judged or put out, to their heirs, and to them that have in other manner cause of action or title of right in this behalf, with all manner of liberties and franchises and privileges, as far forth and wholly as they had at any time, with restitution of goods and chattles. But our sovereign lord the King, by advice of the said lords and commons, considering how the King for recovery and relief of his liege people, which were so judged or put out, and to make them to have restitution of their estates and lands, tenements, fees, advowsons, and other possessions aforesaid, hath had and supported great and excessive costs and expences, it seemeth to the King and to all the lords, that touching the said restitution it shall be a competent satisfaction to the said persons forejudged and put out, and to their heirs, to have restitution of their goods and chatels, or of the issues and profits of the said lands and tenements taken in the mean time. And moreover as to them, which have bought and purchased of the King much of the lands and tenements aforesaid, some in demean, and some in reversion, for certain sums to be paid to the King, he hath charged his council to inquire by their advice of the value of the said lands and tenements so sold, and how much the buyers thereof have taken in the mean time: and thereupon treat and make with them such end as good faith and conscience requireth: And thereupon it is ordained and established, That all they which will pursue for the restitution aforesaid, or for their recovery in this behalf, shall have a writ of *Scire facias*, returnable in the chancery, as often and such as they shall think needful, or take any other action at the common law if they will, and that they may sue against them which be tenants of the freehold, the *Monday* next after the said xv. year of *Saint Hillary*, and that their recovery be good and effectual against them, notwithstanding any alienations or demises made since the said *Monday*, or against other tenants at their election. And that no protection be allowed in this case, nor no delay by nonage, nor restraint nor aidprayer, but by aidprayer of the King. And that the said keeper of the privy seal shall make thereof letters of *Præcedendo*, without pursuing or speaking to the King, or other delay, without doing waste or destruction in the mean time.

### CAP. XIII.

*A reversal of the sentence against Michael de la Pole, late earl of Suffolk.*

**I**TEM, our sovereign lord the King, at the instance of the said lords appellants, and by assent of other lords of the parliament, considering how it was judged by all the estates of the parliament, that the answer made by *Robert Tresilian* and other his said companions the King's Justices at *Nottingham*, the said xi. year,

year, upon a certain question of them demanded; as it appeareth above, touching *Michael de la Pole*, late earl of *Suffolk*, was just, good and lawful; and that the said judgment given against the said earl in the said parliament, the said x. year of our said Parliament. sovereign lord the King, was erroneous and revocable, as before it appeareth; hath, by the assent of the parliament awarded, judged, and also established, that the said judgment given against the said earl in the said parliament, the said x. year, shall be repealed, reversed, and clearly adnulled, in like manner and form as the judgments given against the said earl and other judged in the said parliament, holden the said xi. year, were reversed and adnulled in the same parliament determined at *Shrewsbury*. And that all the lands and tenements, rents, fees, and advowsons, and all other possessions, which were to the said earl, and seized as forfeit by colour of the said judgment in the said parliament the said x. year, with all manner of liberties of franchises and privileges, as far forth, and as wholly as the said earl had them at any time before, should be restored to the heirs of the said earl, without having any issues or profits of the same in the mean time: and that the said heirs have their suit and recovery in the same manner as before.

## CAP. XIV.

*The King's pardon of robberies, thefts, outrages, and riots, committed in the time of the commotion.*

ITEM, whereas the commons shewed to the King in the same parliament, how the said xi. year, at the time that the lords that be attainted, gathered them in great number forcibly with many people, and came to *Ratecote bridge*, where many robberies, thefts, felonies, trespasses, outrages, and riots were done, by which great mischief and trouble may come to the people hereafter, whereof they pray (to eschew such mischiefs and troubles,) that it would please the King to ordain and establish in the said parliament, that all actions and suits of the party, for all robberies, thefts, felonies, trespasses, outrages, and riots done by them, which rose in the company of the said lords at that time, and by that occasion, be extinct for ever: Whereupon the King, by advice of the estates of the parliament, hath ordained and established, That all the said actions and suits should be clearly extinct and adnulled, without having thereof any remedy in any wise in time to come.

Pardon.

Repealed by  
1 H. 4. c. 3.

## CAP. XV.

*The King's pardon to all his subjects of alienations without licence, intrusions by the heirs after the death of their ancestors, treasons, felonies, &c.*

ITEM, our sovereign lord the King, in the said parliament, considering the great affection and love to him shewed by his people, and their good port and the great tenderness and diligence that they have had for salvation of his realm, estate, and right of his crown; and also for consideration of the grant that they have made



made at this time of their good will, more than they have done to any of his progenitors before this time, that is to say, the subsidy of the wools, leather, and woofsels, for term of his life, and a *disme* and *quinzime*, and an half to be paid in manner comprised in their said grant, and willing of his royal benignity to provide for the quietness, peace, and tranquility of his said people, and that they should have the greater cause and courage to do well, to the best of their power in time to come: hath pardoned and released to all his liege people of *England*, of whatsoever state or condition that they be, and to every of them, all manner of escapes of felonies, chattels of fugitive persons and felons, trespasses, negligences, misprisions, ignorances, and all other articles of the *Eire*, and other things fallen or chanced within the realm of *England*, whereof the punishment lieth in fine or in ransom, or in other pecuniar pains, or otherwise, imprisonment, americiaments of commons or of towns, of singular persons, or charge of freehold of them which never trespassed, as heirs or tenants of lands, of escheators, sheriffs, or coroners, and such other. And also hath pardoned and released all manner of gifts alienations and purchases made by them of lands, tenements, or any other possessions holden of him, in chief without the King's licence, and all manner of entries made in their heritages, purchases, or otherwise, in part or in whole, after the death of their ancestors, or of any other without pursuit or due process thereof made, till the *Thursday* the last day of the month of *January*, the last day of the said parliament, except those lands, tenements, and possessions, which be aliened into mortmain without licence royal. And also hath thence wholly pardoned and released all manner of fines, americiaments, issues, forfeits not judged nor determined, made, fallen, or happened within the realm of *England* before the said *Thursday*. And also hath pardoned them generally the suit of his peace for all manner of treason and felonies made or done before the said *Thursday*, and the outlawries, if any by this occasion be in them pronounced: except murders and rapes of women, and common thieves indicted the *Thursday*, and that be perners, and they which be appealed of the death of man at the suit of the party, and except them which have compassed and purposed the King's death. Provided always, That none shall have the benefit of this pardon for treason nor felony, if he pursue not a charter of pardon. Provided also, That they that rode and gathered them forcibly against the King, the xi. year of his reign, with the lords which be now judged and convicted, shall have no benefit of this act at this time, if they pursue not a charter of pardon in this behalf betwixt this and the feast of Saint *John the Baptist* next coming: and the King our sovereign lord, upon the grant of this grace and pardon so made to his liege people at this time, made an open declaration by his own mouth. So that if the lords and commons of the realm, which shall come to the parliaments in time to come do put or make any let or disturbance contrary to the grant of the said subsidy of wools, leather, and woofsels, so granted to him for term of his life,

life, that then the said grace and pardon shall be void and clearly adnulled.

Repealed by  
1 H. 4. c. 3.  
2 H. 4. c. 13.

## C A P. XVI.

*Authority given by parliament to certain commissioners to examine and answer petitions exhibited to the King.*

**I**TEM, it is to be remembered, That whereas the King at the request of the same parliament, making to them divers petitions as well for special persons as other not read nor answered, and which for shortness of time may not well be determined during the time of the parliament, it is ordained and assigned, by authority and assent of the said parliament, That *John* duke of *Lancaster*, *Edmund* duke of *York*, *Edmund* duke of *Aumarle*, *Thomas* duke of *Surry*, *John* duke of *Exeter*, *John* marquis of *Dorset*, *Roger* earl of *March*, *John* earl of *Salisbury*, and *Henry* earl of *Northumberland*, *Thomas* earl of *Gloucester*, *Thomas* earl of *Winchester*, and *William* earl of *Wiltshire*, or six of them, *John* *Hussey*, *Henry* *Greene*, *John* *Rusbel*, *Henry* *Chelmswike*, *Robert* *Tey*, and *John* *Golofre*, knights, coming for the commons of the realm to the said parliament, or three of them, shall examine, answer, and plainly determine, all the said petitions, and the matters contained in the same, as they shall think best by their good advice and discretion in this behalf, by authority of the said parliament, as it appeareth more plainly in the roll of the said parliament: our sovereign lord the King by the assent of the dukes of *Lancaster*, *York*, *Aumarle*, *Surry*, and *Exeter*, and of the said marquis, and of the said earls of *March*, *Salisbury*, and *Gloucester*, and the said *John* *Hussey*, *Henry* *Green*, and *John* *Rusbell*, by virtue and authority to them committed in the parliament, hath received and heard certain petitions, and thereupon made certain ordinances and statutes following, that is to say, whereas in a statute made in the parliament of our sovereign lord the King, holden at *Westminster* the fourteenth year of his reign, was contained, That no shoemaker nor cordwainer should not use the mystery of tanning, nor no tanner should use the mystery of cordwainer nor shoemaker, upon a certain pain comprised in the same statute. And notwithstanding the said statute and pain many cordwainers and shoemakers do yet use the mystery of tanner (as is aforesaid) in contempt of the King and in great deceit and impoverishment of the commons, because that due execution is not thereof made: whereupon the King will and hath ordained and established by the assent aforesaid, That the said statute so made be holden and kept, and duly executed with the pains of the same in all points, notwithstanding any repeal, statute, or ordinance made to the contrary.

Repealed by  
1 H. 4. c. 3.

## C A P. XVII.

*There shall be no licences granted to ship merchandises of the staple to any other place but to Calais.*

**I**TEM, at the grievous complaint of the commons shewed how the staple was limited to remain at *Calais*, and that all the

the wools, woolfels, leather, lead, tin, cheese, butter, and honey, passing out of the realm of *England*, and of the lands of *Ireland* and *Wales*; had recourse to the said place of *Calais*, and no place elsewhere, certain persons, by their suggestion, have purchased licences to carry wools and other merchandises aforesaid towards what parts it pleaseth them beyond the sea, whereas they that have no such licences ought to abide at the said place of *Calais*, to the great profit of them that be licensed, and damage of them which have no licence, and destruction of the said staple, to the great damage of the mint, coinage and customs of *Calais*; the King, by the assent aforesaid, will, ordaineth, and establisheth, That the statute thereof made be holden and kept, as to the great merchandises, that is to say, wools, leather, woolfels, tin, and lead, all only without granting any licence to the contrary, but by the special licence of the King himself: and if any such licence be granted it shall be repealed.

Repealed by  
1 H. 4. c. 3.  
18 H. 6. c. 3.

### C A P. XVIII.

*Stones shall be carried for lastage towards the repair of the beacons, the place called Paradise, and other decayed places in Calais.*

Repealed by  
1 H. 4. c. 3.  
16 H. 6. c. 5.

**I**TEM, whereas many works being about the town of *Calais*, which in salvation and defence of the same town, and the marches there, need daily to be maintained and repaired, there be two great works, most necessary of all to be sustained and supported, that is to say, the beacons before the port there, and the place called *Paradise*, which is nigh to the ditches of the same town, which ditches, by the concourses and rages of the sea, be always feebled and impaired, as well of stones cast out of the stuffing of the same, as also of timber, so that if they be not hastily amended, made, and repaired, the said port is likely to be destroyed and undone for ever: and the said place of *Paradise* is now so ruinous and feeble, that if it be not newly made, and sufficiently maintained and kept, it is likely that in that default the walls of the same town in this behalf, in short time, by the great abundant concourses of the sea, shall be clearly decayed, in destruction and undoing of the said town, to the great damage of the King, and of his realm of *England*, which God defend; against which perils always to set sufficient remedy, it is all only at the King's costs and expences, and shall be very great and grievous charge, if a convenient ordinance thereof be not provided; wherefore our sovereign lord the King, by the assent aforesaid, hath ordained and established, That all manner of ships accustomed to come to the said port out of the country of *England*, (fisher boats all only except) shall bring with them all their lastage of good stones, convenient for the stuffing of the said beacons, in making their reasonable deliverance from time to time at their coming thither to the treasurer, which for the time shall be there, or to other ministers thereto by him ordained, upon the pain of ii. d. for the weight of every ton, and as  
much

much as the said ships be of portage. And that all manner of ships entering at the said place of *Paradise*, there to rest, shall pay at every their entry there, xiiii. d. sterling, and thereupon it shall be lawful to them, if they will there tarry for xiiii. days, with as many nights then next ensuing, without paying thereof more for their said entry. And also in case that the foresaid ships or boats tarry over the xiiii. days and nights aforesaid, then they shall pay for every day and night a peny, and for the day alone a half-peny, and for the night alone a half-peny. And moreover it is ordained, That no manner of person shall presume to tie any manner of ship nor boat by cable, cord, nor otherwise to the timber nor stones of the said beacons nor *Paradise*, nor also of the newquay, otherwise. called the wharf at the side of the said port of the town of *Calais*, upon pain of xl. pence, to be levied of the ship or boat, which so shall be found tied. And also that the treasurer, which there for the time shall be, shall have full power for him and for his deputies, to levy and receive the money of the pains aforesaid incurred and rising, and thereof to make payment according as shall be needful in his said office, by the view and controllment of the King's comptroller there.

Repealed by  
1 H. 4. c. 3.  
10 H. 6. c. 5.

C A P. XIX.

*A rebearsal and confirmation of the statutes of 25 Edw. III. c. 4. and 45 Edw. III. c. 2. touching the pulling down of wears, mills, staks, &c.*

**I**TEM, whereas by Sir *Edward*, late King of *England*, grandfather to our sovereign lord the King that now is, the xxv. year of his reign, forasmuch as common passages of ships and boats in the great rivers of *England*, were oftentimes troubled by the levying of wears, mills, stanks, and kiddles, to the great damage of the people; it was accorded and established, That all such wears, mills, stanks, staks and kiddles, which were levied and set up in the time of King *EDWARD*, son to King *HENRY*, and since in such rivers, whereby the ships and boats be troubled, and that they cannot pass as they were wont to do, shall be out and pulled down for ever, without being releived. And that writs thereupon shall be sent to the sheriffs of the places where need shall be, to survey and inquire, and to make thereof execution. And also that the justices shall be thereupon assigned at all times when need shall require. And after at the grievous complaint of the great men and of the commons made in the parliament of the said King *EDWARD* the grandfather, the xlv. year of his reign, complaining by their petition, that the said statute is not duly executed nor kept after the effect of the same, it was ordained and established, That the said statute in that point should be holden and kept after the effect of the same. Joyning thereunto that if any such nuisance be made, it shall be pulled down by due process contained in the said statute. And he that doeth the said nuisance to be releived, and thereof be duly attainted, shall incur the pain of a C. marks to the King, to be levied by the estreat of the exchequer. And that such law

ſhall hold of nuiſances by the enhancing of ſuch wears, mills, ſtanks, and kiddles, as by new levying, as in the ſaid ſtatutes more fully appeareth. And now at the requeſt of the ſaid commons, ſhewing by their petition, that the common paſſages of ſhips and boats in the great rivers of *England*. And alſo meadows, and paſtures, and arable lands, joining to the ſaid rivers, be greatly troubled, drowned, waſted, and deſtroyed by the outrageous enhancing and ſtraightening of wears, mills, ſtanks, and kiddles, of old time made and levied before the time of the ſaid King EDWARD, ſon to King HENRY, whereof great damages and loſſes have oftentimes happened to the people of the realm, and daily ſhall happen, if remedy thereof be not provided: it is accorded and eſtabliſhed by the aſſent aforeſaid, That the ſaid ſtatutes in all their articles, ſhall be firmly holden and kept, and alſo duly executed, with the pains, and after the effect of the ſame: joining to the ſame that commiſſions ſhall be made in due form to ſome ſufficient perſons to be juſtices in every county of *England*, where need ſhall be, to ſurvey and alſo keep the waters and great rivers there, and the defaults to correct and amend, and to make due execution of the ſaid ſtatutes after the effect of the ſame, as well by their ſurveying, advice, and diſcretion, as by enqueſts thereof to be taken within franchise and without. And when need thereof ſhall be to hear and determine the things aforeſaid. And moreover to ſurvey the wears, mills, ſtanks, ſtokes, and kiddles of old time made and levied, before the time of King EDWARD, ſon to King HENRY. And ſuch as they ſhall find too much enhanced, or ſtraightened, to correct or pull down and amend, in the manner and form aforeſaid, ſaving always reaſonable ſubſtances of the ſaid wears, mills, ſtanks, ſtokes, and kiddles aforeſaid of old time ſo made and levied. And if any ſuch nuiſances of wears, mills, ſtanks, ſtokes, and kiddles, of paſſages and ſtreets of old time made and levied, be judged or awarded by the ſaid juſtices to be corrected and amended, he that hath the freehold thereof, ſhall make thereof execution at his coſts, within half a year after knowledge thereof to him made, upon pain of an hundred marks to be paid to the King by eſtreats of the exchequer, and he that doeth them to be releved or enhanced or ſtraightened againſt the ſaid judgment, and thereof duly convicted, ſhall incur the pain of an hundred marks to be paid to the King by the eſtreats of the exchequer aforeſaid. And in caſe that any feeleth himſelf grieved by execution or otherwiſe in this behalf againſt right and reaſon, he ſhall purſue and have right and remedy.

Repealed by  
1 H. 4. c. 3.

### CAP. XX.

*Whoſoever ſhall purſue to repeal any of theſe ſtatutes, and that proved in parliament, ſhall be adjudged a traitor.*

Treaſon.

**I**TEM, the King by the aſſent of the ſaid lords and knights, ſo aſſigned by the ſaid authority of parliament, will and hath ordained, That every perſon that procureth, or purſueth to repeal or reverse any of the ſaid ſtatutes or ordinances made by

the King, by the assent of the said lords and knights assigned, by power and authority of parliament; and that duly proved in the parliament, he shall be judged and have execution as a traitor to the King and to the realm, in like manner as they which pursue or procure to repeal the statutes and ordinances made during the time of the said parliament.

Rep 1H.4.c.3.

## Anno primo HENRICI IV.

Statutes made at *Westminster* in the first year of the reign of King HENRY the Fourth, and in the year of our lord 1399.

**H**ENRY par la grace de Dieu Roy dEngleterre & de Fraunce & seignur dIrland al honour de Dieu & reverence du seinte esglise pur nurrir unitee pees & concorde des toutz partz deinz le roialme dEngleterre & pur relevation & recoverer de mesme le roialme qore tard ad este meschieufusement mys a tresgraunde ruyne meschieuf & desolation del assent des prelates ducs contz & barons & al instance & especiale request des communes de mesme cest roialme assemblez a son parlement tenuz a Westm' en le fest de seinte Feie la virgine lan de son regne primer ad fait ordiner & establire certains ordinances & estatutz en la forme gensusit.

**H**ENRY by the grace of Gods, King of England, and of France, and lord of Ireland, to the laud and honour of God, and reverence of holy church, for to nourish unity, peace, and concord, of all parties within the realm of England, and for the redress and recovery of the same realm, which now of late hath been dangerously put to great ruin, mischief, and desolation; of the assent of the prelates, dukes, earls, barons, and at the instance and special request of the commons of the same realm, assembled at his parliament holden at Westminster in the feast of St. Faith the virgin, the first year of his reign, hath made, ordained, and established certain ordinances and statutes in form as hereafter followeth.

### CAP. I.

*A confirmation of the liberties of the church, and of all statutes not repealed. Justice shall be done, and peace kept.*

**P**Rimerement qe seint esglise eit & enjoiez toutes ses droitures libertees & franchises entierment & faunz emblemissement et qe la graunde chartre & la chartre de la forest & toutz les autres bones ordinances & estatutz faites en temps de ses nobles progenitours & nient

**F**IRST, That holy church have and enjoy all her rights, liberties, and franchises, entirely and without imblemishing. (2) And that the Great Charter, and the Charter of the Forest, and other good ordinances and statutes made in the time of his noble progenitors,

A confirmation of the liberties of the church, and of all statutes not repealed.

Peace shall be maintained and justice shall be done to all.

and not repealed, be firmly holden and kept in all points; (3) and that the peace within this realm be holden and kept, so that all his lawful liege people and subjects may from henceforth safely and peaceably go, come, and dwell, according to the lawful usages of the same realm; (4) and that good justice and even right be done to every person.

nient repellez soient fermement tenuz & gardez en toutz pointz et qe le paix deinz son roialme soit tenuz & gardez issint qe toutz ses loialx lieges & subgitz purront deore sauvement & paisiblement aler venir & demorer selonc les loies & usages de mesme le roialme & qe bone justice & œell droit soit fait a chescuny.

### CAP. II.

*None shall be impeached that did assist King HEN. 4. or helped to pursue King RICH. 2. or his adherents.*

Ex edit. Raft.

**I**TEM, That no lord spiritual nor temporal nor other person, of what estate or condition that he be, which came with our sovereign lord the King that now is into the realm of *England*, nor none other persons, whatsoever they be, then dwelling within the same realm, and which came to the King in aid of him to pursue them that were against the good intent of our sovereign lord the King and the common profit of the realm, in which pursuit *RICHARD* late King of *England* the Second, after the conquest was pursued, taken, and put in ward, and yet remaineth in ward, be impeached, grieved nor vexed, in person nor in goods in the King's court nor in none other court for the pursuit of the said King, taking and withholding of his body, nor for the pursuit of any other, taking of persons and chattels, or of the death of a man, or any other thing done in the said pursuit, from the day that the said King that now is arrived, till the day of the coronation of our said sovereign lord King *HENRY*. And the intent of the King is not that offenders, which committed trespasses or other offences out of the said pursuit, without special warrant should be aided or have any advantage of this statute, but that they be thereof answerable at the common law.

### CAP. III.

*A repeal of the whole parliament holden Anno 21 RICH. 2. and of the authority given thereby.*

Parliament.

**I**TEM, whereas the *Monday* next after the feast of the exaltation of the holy cross, the xxj. year of the reign of the said late King *RICHARD*, a parliament was summoned and holden at *Westminster*, and from thence adjourned to *Salop*, at which town a certain power was committed by authority of the parliament to certain persons to proceed upon certain articles and matters comprised in the roll of the parliament thereof made, as by the same roll may appear, in which parliament, and also by authority aforesaid, divers statutes, judgments, ordinances, and establishments were made ordained and given erroneously and dolefully,

dolefully, in great disherison and final destruction and undoing of many honourable lords and other liege people of the realm, and of their heirs for ever: our sovereign lord the King considering the great mischiefs aforesaid, by the advice and assent of all the lords spiritual and temporal, and of all the commonalty, hath judged the said parliament, holden the said xxi. year, and the authority thereof given (as afore is said) with all the circumstances and dependents thereupon to be of no force nor value. And that the same parliament, with the authority aforesaid, and all the circumstances and dependents thereupon, be wholly reversed, revoked, voided, undone, repealed, and annulled for ever.

## CAP. IV.

*A confirmation of the parliament holden 11 RICH. 2.*

**I**TEM accordez est assentuz & establiz qe le parlement tenuz a Westm' lan unzisime le dit nadgairs Roi RICHARD soit fermement tenuz & gardez selonc le purport & effect dicelle come chose fait pur tresgraund honore & commune profit de tout le roialme.

**I**TEM, it is accorded, assented, and established, That the parliament holden at *Westminster*, the eleventh year of the said late King RICHARD, be firmly holden and kept according to the purport of the same, as a thing made for the great honour and common profit of this realm.

The parliament holden anno 11 Rich. confirmed.

## CAP. V.

*A restitution of those, or their heirs, which were attainted at the parliament holden 21 RICH. 2.*

**I**TEM, it is ordained and assented, That the lords and other Lords, which were forejudged in the said parliament, holden the said one and twentieth year, or by authority of the same, which now be in life, and the heirs of the lords and other that be dead, shall be wholly restitute and restored to their names, all manner of inheritaments, and possessions, reversions, fees, advowsons, offices, liberties, and franchises, as entirely as the said lords and other which be in life, or the lords and other which be dead, ancestors of the heirs, or the feoffees of the said lords or other aforesaid, or other feoffees to their use, where at the time of the judgment give against them, the said xxi. year, by entry, without other suit thereof to be made, or livery to be had of the same: saving always that the said lords or the other aforesaid, shall have nothing of the issues taken in the meantime: and as to the goods and chattels, which were to the said lords, or the other persons aforesaid, so forejudged, whereof the King is not answered and be in the hands of the sheriffs, escheators, or other officers, ministers, or any other and concealed by them: the King will and granteth, That the same lords and other which now be in life, and the executors and administrators of them that be dead, shall have thereof livery and restitution: and that the sheriffs, escheators, officers, and ministers, so occupying the said goods



and chattels by such concealment, be punished for the same concealment.

## CAP. VI.

*In a petition to the King, of lands, offices, &c. the value shall be contained.*

**I**TEM, to the intent that our said lord the King in time to come shall not be deceived in his grants or gifts annual, or in fee, or in any offices by him to be given, made, or granted, he will, by the assent of the lords spiritual and temporal aforesaid, and at the request of the said commons, be counselled by the wise men of his council in things touching the the estate of him and of his realm, saving always his liberty. Also he hath ordained and established by the assent aforesaid, That all they which from henceforth do demand of the King, lands, tenements, rents, offices, annuities, or any other profits, shall make expresse mention in their petitions of the value of the thing so to be demanded, and also of that which they have had of the King's gift, or of other his progenitors or predecessors before: And in case they make not such mention in their said petitions, and that duly proved, the King's letters patents thereof made shall not be available, nor of any force nor effect, but wholly revoked, repealed, and adnulled for ever; to the punishment of them which so have done deceit to the King, as they that be not worthy to enjoy the effect and benefit of the letters patents to them granted in this behalf.

**I**TEM au fyn qe nostre dit seigneur le Roi en temps venir ne soit deceuz en ses grauntes ou douns annuels ou en fee ou en acunes offices par lui a doners fairs ou graunters il voet de lassent des seignurs espirituels & temporels susditz & a la request des ditz communes estre conseillez par les sages de son conseil es choses touchantz lestat de lui & de son roialme sauuant toutefoitz sa liberte. Et voet & ad ordeinez & establiez de lassent susdit qe toutz ceux qi desore enavant demanderont du Roi tetres tenementz rentes offices annuitees ou autres profitz qeconques facent expresse mention en leur petitions de la value de la chose ensi ademande et auxi de ce quils ont gue du doun de Roi ou des autres ses progenitours ou predecessours pardevant. Et en cas quils ne facent tiel mention en leur ditz petitions & ce dument prove soient les lettres patentes du Roi ent faites nient vailables ne de null force nefeet mais de tout revokez pellez & adnullez pur touz jours au punissement de ceux qensi au fait tiel deceit au Roi come ceux qi ne sont pas dignes denjoier leffect & benefice des lettres patentes a eux grauntez en celle partie.

3 Co. 31.

Co. Lit. 133. a.

2 H. 4. c. 2.  
6 H. 4. c. 2.

## CAP. VII.

*be penalty for unlawful giving or wearing of liveries. Who may wear the King's liveries, and in what places. Towhat persons only liveries may be given.*

ITEM, to eschew maintenance, and to nourish love, peace, and quietness, of all parts through the realm: it is ordained and established, by the King and his lords spiritual and temporal, and the commons aforesaid in the full parliament; That no lord, of what estate or condition soever he be, shall use nor ordain any livery of sign of company, to no knight, esquire, nor yeoman, within the realm aforesaid: saving always that our sovereign lord the King shall give only his honourable livery to his lords temporal, whom shall please him: saving also that our sovereign lord the King shall give his honourable livery to his knights, and esquires meermal: and also to his knights and esquires, which be of his retinue, and do take of him their yearly fee for term of life. Moreover it is accorded and assented by the King, his lords and commons aforesaid, That the knights & esquires shall not in any wise wear their said liveries in their countries or counties where they be resident or dwelling, nor in none other place within the realm out of the King's presence. And if any lord do the contrary, and that duly proved, he shall make fine and ransom at the King's will. And if any knight or esquire do the contrary, and be thereof duly attainted, he shall lose his said livery, and forfeit his fee for ever. And that no yeoman take nor wear any livery of the King, nor of none other lord upon pain of imprisonment, and to make fine and ransom at the King's will: provided always that the constable and marshal of *England*, for the time being, and their retinue of knights and esquires, may wear the said livery of the King, upon the borders and marches of the realm in time of war: provided also, That all they that will travel, and pass over the parts beyond the sea to seek honour, may wear the same livery in those parts, without being thereof any wise grieved or impeached. Moreover it is accorded and assented, That no archbishop, bishop, abbot, nor prior, nor none other man of holy church, or temporal, of what estate or condition he be within the said realm, shall give any livery of cloth to any man, but only to his menial servants and officers, or to them that be of his council, as well spiritual as temporal, learned in the one law or the other, upon pain to make fine and ransom at the King's will. And this statute or ordinance shall begin to hold in place, from the feast of Candlemas next to come.

Constable of  
England.  
Marshal of  
England.

2 H. 4. c. 27.  
Repealed by  
3 Car. 1. c. 4.

## CAP. VIII.

*Disse maintainable by the disseisee against the King's patentee of lands.*

ITEM a la grevoue complaint des ditz communes fait en dit parlement coment plusieurs

ITEM, at the grievous complaint of the said commons, made in the said parliament, how many of the

*the King's liege people, which have been seised and possessed of lands and tenements, by their right and title, until the last coming of our lord the King into England, that upon suggestion made to him, the said lands and tenements have been granted to divers persons, and letters patents thereof made, so that by colour of such grants and letters patents, the tenants and true owners of the said tenements in divers counties be disseised and put out of the same, to their great damage, and against the course of the common law: (2) our lord the King considering the mischiefs aforesaid, and willing thereupon to provide due remedy, by the advice and assent of the lords and commons aforesaid, hath ordained and established, That in case any lands or tenements be granted by the King's patent, without title found by inquest or otherwise, where the King's entry is not given by law, they that be put out or disseised of their freehold, shall have a special assise of the chancellor's grant, without other suit to be made to the King in that behalf: (3) and if the parties or persons having the King's letters patents do pray in aid, a writ of *Procedendo* shall be granted by the said chancellor, without making other suit to the King; (4) and in case that they which be put out, or disseised, do recover against the persons having such patents, they which be so put out or disseised shall recover their treble damages; (5) and that this ordinance and statute hold place as well after the King's arrival into *England*, as in all time to come.*

Assise maintainable by the disseisee for those lands which he granted by the King's patent without title first found for the King.

fours des lieges nostre dit seigneur le Roi qont este seifz & possessionez des terres & tenementz par leur droit & titre tanqal darreine venue nostre dit seigneur le Roi en Engleterre qe par suggestion a lui fait les dit terres & tenementz ont este grauntez as diverses personnes & lettres patentes ent faitz il sint qe par colour des tiech grauntes & lettres patenz les tenantz & verroies possesseurs des ditz tenementz es plusieurs contes sont deseitez & oustez dicelles a leur grand damage & encontre le cours de la commune ley nostre dit seigneur le Roi consideraunt le meschief susdit & veulant sur ce ordeiner due remede de ladys & assent des seignurs & communes suiditz ad ordeinz & establiz qe la ou terres ou tenementz sont grauntez par patent du Roi sanz title trove par enquest ou autre vie & la ou lentre du Roi nest pas done par la ley aient ceux qi sont oustez ou disseises de leur franc tenement especale assise du graunt du chancellor sanz autre poursuite faire au Roi celle partie et si les personnes eiantz les patentes du Roi prient en aide soit graunte brief de *Procedendo* par le dit chancellor sanz autre poursuit faire au Roi & en cas qe les ditz oustez ou disseisez recoverent devers les personnes eiantz tiech patens qe mesmes les oustez ou disseisez recoverent leur damage a treble. Et qe cest ordinance & estatut tiegne lieu si bien puis larivall du Roi en Engleterre come en temps avenir.

## CAP. IX.

*A confirmation to the purchasers of lands sold, which were forfeited to the King.*

**I**TEM, whereas amongst other statutes and ordinances made in the xi. year of the said late King RICHARD, is was ordained and established, That the great officers of the said late King, by the advice of all other lords of the council, should have power to sell parcel of the forfeitures of them that were forejudged in the parliament, holden the said xi. year, by their good discreti-  
Ex edit Rast.  
Forfeiture.  
Gifts.  
11 R. 2. c.6.

## CAP. X.

*Nothing shall be accounted treason but what was made treason in the time of King EDWARD the Third.*

**I**TEM come in le dit parlement tenuz le dit an vingt primer le dit nadgairs Roi RICHARD plusieurs peines de raison feurent ordeinez par estatut parenu qe y navoit aucun homme qa poie favoit coment il se deult avoir de faire parler ou dire par doubte des tielx peines accordez est & assentuz par le Roi & les seignurs & communes susditz qen null temps venir aucune traïson soit adagee autrement qe ne feut ordinez par estatut en temps de son noble aiel le Roi EDWARD le tiers qi Dieu assoille.

**I**TEM, whereas in the said parliament holden the said one and twentieth year of the said late King RICHARD, divers pains of treason were ordained by statute, in as much that there was no man which did know how he ought to behave himself, to do, speak, or say, for doubt of such pains; (2) it is accorded and assented by the King, the lords and commons aforesaid, That in no time to come any treason be judged otherwise, than it was ordained by the statute in the time of his noble grandfather King EDWARD the Third, whom God  
25 Ed. 3. stat. 5. c. 2.  
Nothing shall be adjudged treason but what was so ordained by the statute of 25 Ed. 3.  
1 Ed. 6. c. 12. 1 Mar. sess. 1. c. 1.

## CAP. XI.

*How far sheriffs shall be charged with the ancient fermes of the county.*

**I**TEM come les ditz communes par leur petition ont monstré en mesme cest parlement coment les viscontz des countes

**I**TEM, whereas the said commons by their petition have shewed in the same parliament, how the sheriffs of counties within the realm

realm be charged with the antient ferm of the same counties, whereas a great parcel of the profits of the same is given severally to lords and other the King's liege people, so that the same sheriffs cannot pay their ferm without doing extortion in the said counties, in great oppression and hindrance, as well of the said sheriffs, as of the inhabitants of the said counties: (2) our lord the King considering the mischiefs aforesaid, by the advice and assent of the lords and commons aforesaid, hath ordained and established, That from henceforth the sheriffs of the county of *Essex* and *Hertford* in special, and the sheriffs of other counties aforesaid, for the time being, shall accompt in the exchequer, and have allowance by their oath of the issues of the said counties, as well after the date of their patents made to them by the said late King RICHARD, as for all times to come. (3) And if any sheriff from henceforth do any extortion to the people, and be thereof attainted, he shall be duly punished for the same extortion at the King's will.

Sheriffs shall not be charged with the ancient terms of the counties where part of the profits are given to others.

The punishment of a sheriff for extortion.

countes deinz le roialme sont chargez ove launcion ferme des mesmes les contees la ou grande parcelle des profitz diceilles sont donez diversement as seignurs & autres lieges du Roi si lunt qe mesmes les viscontz ne purront paier lour ferme sans extorsion faire es ditz contees en graunt oppression & arrefement sibien des ditz viscontz come de les enhabitantz et mesmes les contees nostre seignur le Roi considerant les mischiefs suisditz de ladvis & assent des seignurs & communes suiditz ad ordinez & establiz qe desore en avant les viscontz des countees d*Essex* & *Hertford* en especiale & les viscontz des autres contees suisditz par le temps esteantz accomptent a leschequer & aient allowance par lour serement de les issues des ditz contees sibien puis la date de lour patentes a eux faitz par le dit nadgairs Roi RICHARD come pur tout temps avenir. Et si aucun viscont desore en avant face aucun extorsion a poeple & de ce soit atteint qe soit duement punis pur mesme l'extorsion a la volente du Roi.

## C A P. XII.

*A confirmation of former statutes touching pulling down of wears.*

13 Co. 36.  
25 Ed. 3. stat. 5.  
c. 4.

**I**TEM, whereas by EDWARD, late King of England, grandfather of our lord the King that now is, the five and twentieth year of his reign, because that the common passage of ships and boats in the great rivers of England were oftentimes disturbed by the lewyng of wears, mills, stanks, stakes, and kidels, in great damage of the people, it was accorded, That all such wears, mills, stanks, stakes, and kidels, which were lewyed

**I**TEM come seignur EDWARD nadgairs Roi d'Engleterre aiel nostre seignur le Roi qorest lan de son regne vingt & quint pur ce qe communes passages des niefs & bateux en les grands riviars d'Engleterre si feurent souventfoitz destourbez par le lever des gors molyns estankes estakes & kideux en grande damage du poeple accordez feut & establiz qe toutz tielx gors molyns estankes estakes

takes & kideux qi feurent levez & mys en temps le Roi EDWARD fitz a Roi HENR' & depuis en tieulx rivièrs par queux les niefs & bateux sont destourbez qils ne poient passer come ils soloient soient oustrez & nettement abatuz saunz estre relevez & qe briefs serroient sur ce maunde as viscontz des lieux ou mestier serroit de surveier & denquere & de faire ent execution & auxint qe justices serroient sur ce assignez a touz les soitz qil bussoigneroit. Et apres a la grevoufe pleint des graunts & des communes fait en parlement du dit Roi E. lai-el lan de son regne quarant & quint compleinantz par leur petition qe le dit estatut nestoit pas duement execut ne gardez selonc leffect dicelle estoit accordez & establi qe le dit estatut en ceo point soit tenuz & gardez selonc leffect dicelle adjoustant a ycelle qe si null' tiel anufance soit abatuz par due processè contenue en le dit estatut celui qi ferra relever la dite anufance & de ce soit atteint duement encourge la peine de cent marc devers le Roy a lever par lestrete en leschequer & autiel loy se teigne danufance fait par lenhancer de tieux gors molyns estanks estakes & kideux come par novel lever come en les ditz estatutz plus pleinement apiert. Et ore a la request des ditz communes monstrantz par leur petition qe les communes passages des niefs & bateux en les grandes rivièrs d'Engleterre & auxint prees & pastures & terres semez adjointantz as ditz rivièrs sont grandement destourbez surondez gastez & destruz par les outrageoufes enhancer & estreiture des gors molyns estankes estakes & kydeux

vied and set up in the time of King EDWARD, son to King HENRY, and after in such rivers, whereby the ships and boats be disturbed, so that they cannot pass as they were wont, shall be wholly pulled down, and not be levied again; (2) and that writs be thereupon sent to the sheriffs of places where need shall be, to survey and inquire, and to make thereof execution; (3) and also that justices be thereupon assigned at all times when need shall require. (4) And after at the grievous complaint of the great men and the commons, made in the parliament of the said King EDWARD the grandfather, the five and fortieth year of his reign, complaining by their petition, that the said statute was not duly executed nor kept after the effect of the same, it was accorded and established, That the said statute in this point be holden and kept after the effect of the same; (5) added to the same, That if any such nuisance be pulled down by due process contained in the said statute, he that will cause the said nuisance to be repaired, and thereof be duly attainted, shall incur the pain of an hundred marks to the King, to be levied by the estreats of the exchequer; (6) and likelaw to be holden of a nuisance made by the enhansing of such wears, mills, stanks, stakes and kidels, as by new levying, as in the same statutes more fully doth appear. (7) And now, at the request of the said commons, shewing by their petition, that the common passages of ships and boats in the great rivers of England, and also meadows and pastures, and lands sowed adjoining to the said rivers, be greatly disturbed, drowned, wasted, and destroyed by outrageous enhansing and straitening of wears, mills, stanks, stakes, and kidels, in old time made and levied before

45 Ed. 3. c. 2.

The inconveniencies ensuing by inhansing and straitening of wears, mills, stanks, &c.  
10 Co. 138.

A confirmati-  
of the statutes  
of 25 Ed. 3.  
stat. 4. c. 4.  
and 45 Ed. 3.  
c. 2. touching  
the pulling  
down or abat-  
ing of wears,  
mills, &c.

Commissions  
shall be award-  
ed to certain  
justices to sur-  
vey wears;  
and to redress  
offences.

He that hath  
the freehold of  
the land shall  
perform the  
justices award  
touching the  
same.

*before the time of the said King EDWARD, son of King HENRY, whereof great damage and loss hath come to the people of the realm, and daily will come, if remedy be not thereof provided:* (8) it is accorded and established by the assent aforesaid, That the said statutes be in all their articles holden, and firmly kept, and duly executed, with all the pains, and after the effect of the same. (9) Joined thereto, That commissions be made in due form to sufficient persons to be justices in every county of *England*, where need shall be, to survey and keep the waters and great rivers there, and to correct and amend the defaults, and to make due execution of the said statutes, after the effect of the same, as well by their survey, advice, and discretion, as by inquest thereof to be taken, as well within franchise as without, so often and when need shall be; and to hear and determine the things aforesaid; (10) and moreover to survey the wears, mills, stanks, stakes, and kidels in old times made and levied before the said time of King EDWARD, son of King HENRY; and them that they find too much enhanced or straitened, to correct, pull down, and amend in the manner and form aforesaid, saving always a reasonable substance of wears, mills, stanks, stakes, and kidels aforesaid, so in old times made and levied. (11) And if any such nuisances of wears, mills, stanks, stakes, and kidels, of passages and straitenings in old time made and levied, be judged and awarded by the said justices to be pulled down and amended, he that hath the freehold of the same shall make

thereof

kydeux auncienement faitz & levez devant le temps le dit Roi E. fitz a Roi HENR' dora grandes damages & perdes sont avenuz sovent a peoep de roialme & aviendrent de joer en autre si remode ent ne soit mis accordez est & establiz de lassent avaunt dit qe les ditz estatutz soient en touz leur articles tenuz & fermement gardez & duement executz over les peines & selonc leffect dicelles adjoustant a ycelles qe commissions soient faites en due fourme as sufficeantz perones destre justices en chescune conte dEngleterre ou buissoigne sera de surveier & garder les eaux & graundz rivers illecoques & les defaults corriger & amender & due execution faire de les ditz estatutz selonc leffect dicelles sibien par leur survey avis & discretion come par enquestes ent aprendre deinz franchises & dehors si & quant buissoigne sera & doier & terminer les choses suisditz et outre ce de surveier les gors molyns estankes estakes & kideux auncienement faitz & levez devaux le dit temps du Roi E. fitz a Roi H. & ceux qils troverent trop enhancez ou estreitez de les corriger abater & amender en le manere & forme suisditz sauvant toute foitz resonable substance des les gors molyns estankes estakes & kideux suisditz issint auncienement faitz & levez. Et si aucuns tielx anouances des gors molyns estankes estakes & kideux des passages & estroitures auncienement faitz & levez soient adjuggez ou agardez par les ditz justices destre abatez & amendez cellui qad le franc tenement dicelles sera ent execution as les custages deinz un demy an apres notification

cation

cation a lui ent affaire sur peine de cent marcz appaiers au Roi par estretes en leschequer & cellui qi les face relever ou enhancer ou estreiter encontre le dit jugement & de ce soit duement convict encourage la peine de cent marcz apaiers a Roi par estretes en leschequer susdite et en cas qe aucune se sent estre grevez par execution ou autre voie en celle partie encontre droit & raison pursue & eit droit & remede.

grieved by execution or other way in this behalf, against right and reason, he may pursue, and shall have right and remedy.

21 R. 2. c. 19.  
12 Ed. 4. c. 7.

### C A P. XIII.

*Customers, controllers, searchers, &c. shall be removable at the King's pleasure, and shall be resident upon their offices.*

**I**TEM come en lestatut fait a Westm' al quinzisme Seint Hillar' lan du regne le dit nadgairs Roi RICHARD dis & septisme entre autres choses ordenez soit & establiz qe null sercheour gaugeour des vyns alneour tronour poifour des laines ou aucuns autres merchandise collectour des custumes & subfides qeconques ou contrerollour eit estat en son office a terme de vie ou des ans ainz qe les ditz offices demoergent es mains du Roi souz governance del tresorer pur le temps estant avec lassent du conseil quaut y busoigne et si ascun chartres ou lettres patents soient faitz a contrair qils serroient outrement voidez & de null effect accordez est & assentuz qe le dit estatut soit fermement tenuz & gardez & mis en due execution adjoustant y celle qe les custumers & contrerollours en chescune port d'Engleterre demoergent sur leur offices en leur propres personnes faunz ascun depute ou lieutenant faire en leur nouns.

**I**TEM, *whereas in the statute made at Westminster the seventeenth year of the said late King RICHARD, it was amongst other things ordained and stablished, That no searcher, gauger of wines, culneger, finder, or weigher of wools, or any other merchandise, collectors of customs and subsidies, nor controllers, have estate in his office for term of life or years; but that the same offices remain in the King's hands under the governance of the treasurer for the time being, with the assent of the council, when need shall be; (2) and if any charters or letters patents be made contrary, they shall be voided and of none effect: (3) it is accorded and assented, That the said statute be firmly holden and kept, and put in due execution: (4) joined to the same, that customers and controllers in every port of England shall be resident upon their offices in their persons, without making any proper deputy or lieutenant in their names.*

Dyer, 303. officers which shall have no estate, but be removable at the King's pleasure.

•Tromour.

Customers and controllers shall be resident upon their offices.  
17 R. 2. c. 5.  
31 H. 6. c. 5.  
4 H. 4. c. 20.  
1 El. c. 11. § 8.



## CAP. XIV.

*Where all sorts of appeals shall be tried and determined.*

3 Inst. 31. i 31.  
1 Mod. 148.  
Rast. Ent. 49,  
50.  
Hale's history  
common law.  
49, 50, 51, 52.  
Where all sorts  
of appeals shall  
be tried and  
determined.

**I**TEM, for many great inconveniencies and mischiefs that often have happened by many appeals made within the realm of England before this time: (2) it is ordained and stablished from henceforth, That all the appeals to be made of things done within the realm, shall be tried and determined by the goods laws of the realm, made and used in the time of the King's noble progenitors; and that all the appeals to be made of things done out of the realm, shall be tried and determined before the constable and marshal of England for the time being. (4) And moreover it is accorded and assented, That no appeals be from henceforth made or any wise pursued in parliament in any time to come.

No appeal shall be pursued in parliament.

**I**TEM pur plusieurs grandes inconveniencies & meschiefs que plusieurs foitz ont avenuz par voie des plusieurs appellees faites deinz le roialme d'Engleterre devaut ces heures ordeinez est & establiz que desore en avant toutz les appellees affaires des choses faites deinz le roialme soient trieuz & termineuz par les bones leys du roialme faites & usez en temps des tresnobles progenitours nostre dit seigneur le Roi et que toutz les appellees affaires des choses faites hors de roialme soient trieuz & termineuz devant les constable & mareschall d'Engleterre pur le temps esteantz. Et outre ceo accordez est & assentuz que nulles appellees soient desores faitz ou purfueuz en parlement aucunement en null temps avenir.

## CAP. XV.

*The punishment of the mayor, &c. of London, for defaults committed there.*

Rast. 4.  
28 Ed. 3. c. 10.  
4 Inst. 248.  
The mayor of London shall redress errors, defaults, and misprisions, notoriously used in the same city.

**I**TEM, whereas by a statute made in the time of King EDWARD, grandfather of our lord the King that now is, the seven and twentieth year of his reign, it was ordained and established, That because the errors, defaults, and misprisions, which were notoriously used in the city of London, for default of good governance of the mayor, sberiffs, and aldermen, might not be enquired nor found by people of the same city; (2) that the said mayor, sberiffs, and aldermen, which had the governance of the city, should redress and correct the defaults, errors, and misprisions aforesaid, and the same duly punish from time to time, upon a certain pain; that is to say,

**I**TEM come par estatut fait en temps du Roi E. 2<sup>id</sup> nostre seigneur le Roi qorest lan de son regne vingt oep<sup>tesime</sup> ordeinez soit & establiz que pur ce que les erreurs defaltes & mesprisions qi feurent notoirement useez en la citee de Londres pur defalte de bone gouvernement de mair des viscontz & des aldermannes ne purront estre inquirez ne trevez par gentz de mesme la citee ordeine fuit & establie que les ditz mair viscontz & aldermannes qont la gouvernement de la dite citee fassent redresser & corriger les defaltes erreurs & mesprisions susnommez & les duement punir de temps en temps sur certaine

peine

peine cestassavoir a primere default mill. marcz a Roi & a le seconde default deux mill. marcz & a tierce default que la franchise de la dite citee soit pris en la maine le Roi et soit comence denquere sur eux a la Seint Michel proschein avenir issint qils ne facent dues redressementz come desusest dit soit enquis de leur defaultz par enquestes des gentz des foreines contees cestassavoir Kent Essex Suffex Hertf' Buk' & Berk' sibien a la fuite de Roi come dautres qi pleindre se voudront. Et si les mair viscontz & aldermannes soient par tieux enquestes enditez soient faitz venir par due proces devant les justices le Roi qi ferront a ce assignez dehors la dite citee devant queux ils eient leur respous sibien a Roi come a la partie et s'ils se mettent en enquestes soient celles enquestes prises par gentz forains come desuis est dit et s'ils soient atteintz soit la dite peine encourru leve des ditz mair viscontz & aldermannes par default de leur gouvernement et nientmeins les pleintifs recoverent leur damages a treble vers les ditz mair viscontz & aldermannes. Et per cause que les viscontz de Londres sont parties a cest buoigne soit le constable de le tour ou son lieutenant ministre en lieu des viscontz a recevoir les briefs sibien originals de la chauncellerie come judiciaulx souz les sealx des justices a faire eint execution en la dite citee. Et soit proces fait par attachementz & par destresses & par exigend si mestier y soit issint qal suite le Roi soit lexicend a garde apres le primer capias retourne & a la tierce capias retourne a la suite de partie. Et si les mair viscontz & aldermannes eient terres

at the first default a thousand marks, to the King, and at the second default two thousand marks, and at the third default, that the franchise be taken into the King's hand: (3) and be it begun to inquire of them at the feast of Saint Michael next ensuing: so that if they make not due redress, as before is said, it shall be inquired of their defaults by inquest of foreign counties, that is to say, Kent, Essex, Suffex, Hertford, Buckingham, and Berks, as well at the King's suit, as of others that will complain. (4) and if the mayor, sheriffs, and aldermen, be by such inquest indicted, they shall be caused to come by due process before the justices, which shall be thereto assigned out of the city, before whom they shall have their answer, as well at the suit of the King as of the party; (5) and if they put themselves in inquests, the same inquests shall be taken of foreign people, as afore is said; (6) and if they be attainted, the said pain so incurred shall be levied of the said mayor, sheriffs, and aldermen, for default of their government; (7) and nevertheless the plaintiffs shall recover their treble damages against the said mayor, sheriffs, and aldermen. (8) And because the sheriffs of London be party to this business, the constable of the Tower, or his lieutenant shall be officer, instead of the sheriffs, to receive the writs, as well originals of the chancery, as judicials under the seals of the justices, to do thereof execution in the said city; (9) and process shall be made by attachments, distress, and exigent, if need be, so that at the King's suit the exigent shall be awarded after the first Capias returned, and at the third Capias returned at the suit of the party. (10) And if the mayor, sheriffs, and aldermen have lands

The constable or lieutenant of the Tower shall receive and execute the King's writs.

lands and tenements out of the said city, process shall be made against them by attachment and distress in the same counties where the lands and tenements be; and that every of the said mayor, sheriffs, and aldermen, which cometh before the said justices, shall answer alone for himself, as well at the peril of other which be absent, as of himself; (11) and that this ordinance be holden firm and stable, notwithstanding any manner of franchises, privileges, or customs; (12) and that this ordinance shall extend to other cities and boroughs of the realm, where such defaults or misprisions be used, and not duly corrected nor redressed, saving that the inquests be taken by foreign people of the same county where such cities and boroughs be; (13) and that the penalty of them of such cities, boroughs, and towns which shall be thereof attained, be judged by the discretion of the justices, which shall be thereto assigned. (14) Our lord the King considering the good and lawful behaviour of the mayor, sheriffs, and aldermen, and of all the commonalty of the same city of London towards him, and therefore willing to ease and mitigate the penalty aforesaid, by the assent of the lords spiritual and temporal, and of the commons aforesaid, hath ordained and established, That the penalty aforesaid, as well of the thousand marks, as of the two thousand marks, and of the seisure of the franchise, comprised in the said statute, shall not be limited in a certainty, but that the penalty in this case be by the advice and discretion of the justices thereto assigned, as other cities and boroughs

The penalties inflicted by the statute of 28 Ed. 3. c. 10. upon the mayor or of London, shall be according to the discretion of the justices.

terres & tenementz dehors la dite cite soit processe fait devers eux par attachementz & distresses es mesmes les countees ou les terres & tenementz sont. Et que chescun des ditz mair viscontz & aldermannes qui viendra devant les ditz justices respaigne singulierement pur lui mesmes sibien a peril des autres qui sont absentz come de lui mesmes & cest ordinance soit tenuz ferme & estable nient contrestenantz franchises privileges ou custumes qeconques et que cest ordinance se extende as autres citees & burghs du roialme ou tieux defaultz ou mesprisions sont useez & nemy duement corrigez & redressez sauve que les enquestes soient prisez par gentz de mesme le countee ou tieux citees sont et que la peine de ceux de citees burghs & villes qui de ce seront atteintz soit adjudge par discretion des justices qa ce seront assignez. Nostre dit seigneur le Roi considerant le bone & loial port de les mair viscontz & aldermannes & de tout la communalte de mesme la cite de Londres devers mesme nostre seigneur le Roi & par tant lour veulant faire ease & mitigation de les peines avaunt ditz de l'assent des seignurs espirituelx & temporelx & de les communes avaunt ditz ad ordeinez & establez que les peines sibien de les <sup>1</sup>/<sub>m</sub> marcz come de les deux <sup>1</sup>/<sub>m</sub> marcz & del seisine del franchise compris el dit estatut ne soient my limitez en certeine mais que la peine en ce cas soit par advis & discretion des justices a ce assigners come autres citees & burghs sont deinz le roialme et que le remanant de mesme lestatut

tatut & le proces dicell estoient en leur force.

boroughs be within the realm, and that the remnant of the same statute, and the proces thereof, stand in their force.

### C A P. XVI.

*Merchants of London shall be as free to pack their cloths as other merchants.*

**I**TEM accordez est & assentuz qe les merchantz de Londres desore enavant soient auxi frank de packer leur draps & quitz de mesme la packeur come font les autres merchantz ou autres estrangers deinz la dite citee ou delnz autres citees & burghs deinz le roialme & si ascuns lettres patentz soient faitz a contrair qils soient toutouement repellez & adnullez & tenuz de null force & vertue.

**I**TEM, it is accorded and assented, That the merchants of London from henceforth shall be as free to pack their cloths, and quit of the same packing, as the other merchants, or other strangers within the same city, or within other cities and boroughs within the realm be; (2) and if any letters patents be made to the contrary, they shall be utterly repealed, adnulled, and holden of no force nor virtue.

Merchants of London shall be as free to pack their cloths as other merchants.

### C A P. XVII.

*Strangers may buy and sell within the realm vitualls in gross or by retail.*

**I**TEM come en lestatut fait a Westm' lan sisme le dit nadgairs Roi RICHARD entres autres choses soit ordeinez & accordez qe chescun foreine & aliene esteant del amiste de Roi & de roialme & venant deinz la cite de Londres & autres citees burghs & villes deinz le roialme sibien deinz franchise come dehors ovec peffon & autres vitailles qeconques illoeqes demurrantz & retournantz serroit delors desouz la sauve garde & especiale protection de Roi et qe bien lise a eux & a chescun de eux qils puissent trencher peffon & vitailles suisditz par pieces & a taill & a retaill en partie & en tout ou en groos come meuz leur semblera vendre & leur profit ent faire sanz empeschement ou contredit de nulluy non obstantz ascuns estatutz

**I**TEM, Whereas in the statute made at Westminster in the sixth year of the said late King RICHARD, amongst other things it is ordained and accorded, That every foreigner and alion being of the King's amity and of the realm, and coming within the city of London, and other cities, boroughs, and towns within the said realm, as well within franchises as without, with fish and all manner other vitualls, there dwelling and returning, shall be from henceforth under the safeguard and special protection of the King; (2) and that it shall be lawful to them, and every of them, to cut their fish and vitualls aforesaid by pieces, and the same to tail and retail in part, or in all, or in gross; as to them shall best seem to sell, and thereof to make their profit, without impeachment or contradiction of any, notwithstanding

A confirmation of the statute of 6 R. 2. c. 10. authorising merchants strangers to buy and sell within the realm.

*notwithstanding any statutes, charters, ordinances, privileges, or customs made or had to the contrary:*

(3) Our lord the King considering the same statute to be very profitable many ways, if it were put in execution, by the assent of the lords and commons aforesaid, hath ordained and established, That the said statute be firmly holden, kept, and duly executed after the form and effect thereof, notwithstanding the letters patents late granted to the contrary to the *Fishmongers of London* by the said late King RICHARD, upon his last voyage toward *Ireland*.

6 R. 2. c. 10.  
14 H. 6. c. 6.  
3 Jac. 1. c. 6.

tatutz chartres ordinances privileges ou custumes faitz ou euez au contrair. Nostre dit seigneur le Roi considerant mesmes lestatut estre moolt profitable par plusours voies sil fesse mys en execution de lassent des seignurs & communes suis ditz ad ordeinez & establiez que le dit estatut soit fermement tenuz & gardez & dument execut selonc la forme & effect dicell nient contrestantz les lettres patentz nadgairs grauntez au contrair as pessoners de Londres par le dit nadgairs Roy RICHARD sur son dareya passage vers Irland.

### CAP. XVIII.

*Process against one of the county of Chester, which committeth an offence in another shire.*

What process shall be awarded where one of the county of Chester doth commit felony in another county.

**ITEM**, upon the grievous clamour and complaint made to our lord the King in this present parliament, of many murders, manslaughteres, robberies, batteries, and other riots and offences, which before this time have been done by people of the county of Chester to divers of the King's liege people in divers parts and counties of England; (2) the same our lord the King, by the advice and assent of his lords spiritual and temporal, and of his commons aforesaid, hath ordained and established, That if any person of the county of *Chester*, resident or dwelling within the same county, of what estate or condition he be, do commit any murder or felony in any place out of the same county; process shall be made against him by the common law, till the exigent, in the county where such murder or felony was done. (3) And if he flee from thence into the county of *Chester*,

**ITEM** sur les grevous clamour & compleinte faitz a nostre dit seigneur le Roi en cest present parlement des plusours murders homicides robberies bateries & autres riotes & messaites que devant ces heures ont este faitz par les gentz del contee de Cestre as plusours lieges de Roi es diverses contees d'Engleterre mesme nostre seigneur le Roi de ladvis & assent des seignurs espirituelx & temporelx & des communes avaunt ditz ad ordeinez & establiez que si aucun persone del contee de Cestre receant & demurrant deinz mesme le contee de quel estat ou condition qil soit face murder ou felonie par ailleurs hors de dit contee soit proces fait devers luy par la commune ley tanqual exigent en les contees ou tietx murder ou felonie soit fait. Et sil fue dilloques en le dit contee de Cestre & soit utlage ou mys en exigent pur tiel murder ou felonie soit la utlagarie

garie ou lexicend certifiez a les officers & ministres de mesme le conte de Cestre & soit celle felon pris par mesmes les officers ou ministres et ses terres et tenementz biens et chateaux esteantz deinz ycell conte de Cestre seizez come forfaitz es mains du prince ou de celluy qi serra seigneur de dit conte de Cestre pur le temps et ait le Roi lan jour et waist et les autres terres et tenementz biens et chateaux de tiel felon esteantz hors de mesme contee de Cestre demoergent entierment au Roi et as autres seignurs eiantz ent franchises come forfaitz. Et si aucun persone de mesme le contee de Cestre receant ou demurant en ycell face aucune batterie ou autre trespas par ailleurs hors de dit contee de Cestre soit proces fait devers lui par la commune ley tanqal exigend es contees ou tiel batterie ou trespas soit fait et sil fue dilloeqes en le dit contee de Cestre et soit utlagez pur tiel batterie ou trespas soit lutlagair certifiez a les ditz officers et ministres de mesme le contee de Cestre et soit cell persone pris par mesmes les officers ou ministres et ses biens et chateaux esteantz deinz le dit contee de Cestre soient seizez es mains du prince ou de celluy qi serra seigneur de dit contee de Cestre pur le temps et ses autres biens et chateaux esteantz hors de mesme le contee de Cestre demoergent entierment a Roi et as autres seignurs suisditz come forfaitz en manere come dessus est dit.

said county of *Chester* for the time; (8) and his other goods and chattels, being out of the said county of *Chester*, shall remain wholly to the King, and to other lords afore said, as forfeit, in such sort as afore is said.

and be outlawed and put in exigent for such murder or felony, the same outlawry or exigent shall be certified to the officers and ministers of the same county of *Chester*, and the same felon shall be taken by the same officers or ministers, and his lands and tenements, goods and chattels, being within the same county of *Chester*, shall be seized as forfeit into the hands of the prince, or of him that shall be lord of the same county of *Chester* for the time, and the King shall have the year and day, and the waste; (4) and the other lands and tenements, goods and chattels, of such felon, being out of the said county of *Chester*, shall remain wholly to the King, and to other lords, having thereof franchise, as forfeit. (5) And

The process where one of the county of Chester doth make a battery or other trespass in any place out of the said county of *Chester*, process shall be made against him by the common law, till the exigent, in the counties where such battery or trespass is done. (6) And if he flee from thence into the said county of *Chester*, and be outlawed for such battery or trespass, the outlawry shall be certified to the officers and ministers of the said county of *Chester*, and the same person shall be taken by the same officers or ministers; (7) and his goods and chattels, being within the same county of *Chester*, shall be seized into the hands of the prince, or of him which shall be lord of the

said county of *Chester* for the time; (8) and his other goods and chattels, being out of the said county of *Chester*, shall remain wholly to the King, and to other lords afore said, as forfeit, in such sort as afore is said.

## CAP. XIX.

*During three years, for no cloth whereof the dozen exceedeth not 13s. 4d. any subsidy shall be paid, or shall be sealed.*

Ex edit. Raft.

Cloth.

9 H. 4. c. 2.

7 Jac. 1. c. 16.

**I**TEM, in case and relief of the poor common people of the realm, our said sovereign lord the King by the advice and assent aforesaid, hath ordained and established, That from the feast of Saint *Michael* last past, during three years then next following, no cloth of kersey, *Kendal* cloth, frise of *Coventry*, *Cogware*, nor none other cloth streit, nor remnant of *England*, nor cloth of *Wales*, whereof the dozen exceed not the value of xiii. s. iii. d. be in any wise sealed of no seal, little nor great, nor no subsidy payed of the said cloths during the time aforesaid.

## CAP. XX.

*The King's pardon of treason, felony, outlawry, &c. to all them that will pursue their charters before the feast of All Saints, with some exceptions.*

Ex edit Raft.

Pardon.

**I**TEM, at the instance and prayer of the said commons, by their petition made in this present parliament: our said sovereign lord the King of his special grace hath released and pardoned generally to all his liege people of *England*, the suit of his peace that to him pertaineth for all manner of treasons and felonies, by them done or committed before the xix. day of *November*, the first year of his reign, except murder and rape of women, whereof they be indited, arraigned or appealed: and also the outlawries, if any in them be pronounced by the same occasion. And hath granted to them thereof his firm peace, so that none of his said liege people be a common thief, before the said xix. day ended, nor that he be no pronour, nor appealed of the death of any man at the suit of the party, nor taken with the manour, nor that he hath broken the King's prison before the said xix. day, nor that he hath not been at the murder of *Thomas*, late duke of *Gloucester*, uncle to our sovereign lord the King, and so that he stand to right in the King's court, if any will speak against him of the things aforesaid, or of any of them: so that always all they that will enjoy the benefit of this pardon, shall pursue their charters in special betwixt this and feast of *All-Saints* next following.

Statutes made at *Westminster*, Anno 2 HEN. IV.  
and *Anno Dom.* 1400.

**A**T the parliament holden at *Westminster* in the Utas of *St. Hillary*, the second year of the reign of King *HENRY* the Fourth, the same our lord the King,

**A**U parlement tenuz a *Westm'* en les oetaves de *Seint Hiller* lan du regne le Roy *HENRY* le Quart puis le conquest second mesme nostre seignur

seigneur le Roy del assent des prelatz ducs conts & barons & a les especialx instance & request des communes assemblez a cest present-parlement ad fait ordeigner & establir certains estatutz & ordinances en la forme qenseut.

*King, by the assent of the prelates, dukes, earls, and barons, and at the special instance and request of the commons assembled at this present parliament, hath caused to be ordained and stablished certain statutes and ordinances in form following.*

## CAP. I.

*A confirmation of liberties. Each person may pursue the law, or defend it.*

**P**Rimerement qe seinte esglise eit ses droitures & libertees & qe touz les seignurs espirituelx & temporelx & toutz les citees burghs & villes enfranchises eient & enjoient toutz lour libertees & franchises queux ils ont duement usez & les queux ils ont du grante de ses nobles progenitours & predecessours Roys dEngleterre & qe la Grande Chartre & la Chartre de la Foreste & toutz les autres bons ordinances & estatutz faitz en son temps & en temps de ses nobles progenitours nient repellez soient fermement tenuz & gardez en toutz pointz & qe toutz ses lieges & subgitz purront franchement & pesiblement & en seure & sauf protection du luy aler & venir a ses courtes a pursuir les loyes ou les defendre sanz destourbance ou impediment de nully & qe pleine justice & droit soient faitz sibien as poveres come as riches en ses courtes avaunt dities.

**F**IRST, That holy church have her rights and liberties; (2) and that all the lords spiritual and temporal, and all the cities, boroughs, and towns enfranchised, have and enjoy all their liberties and franchises, which they have lawfully used, and which they have of the grant of his noble progenitors and predecessors Kings of England; (3) and that the Great Charter, and the Charter of the Forest, and all other good ordinances and statutes made in his time, and in the time of his noble progenitors, not repealed, be firmly holden and kept in all points: (4) and that all his liege people and subjects may freely and peaceably in his sure and quiet protection go and come to his courts, to pursue the laws, or defend the same, without disturbance or impediment of any: (5) and that full justice and right be done, as well to the poor as to the rich, in his courts aforesaid.

The rights of the church, and of all other persons, cities and boroughs confirmed, and all laws in force ratified.

Every person shall be in peace, and justice shall be done.

1 H. 4. c. 1.  
7 H. 4. c. 1.

## CAP. II.

*An exposition of part of the statute of 1 HEN. IV. c. 6. touching the mentioning of other gifts which a petitioner hath received of the King or his predecessors.*

**I**TEM, whereas in the last parliament of our sovereign lord the King that now is, amongst other things it was ordained and stablished, That all they which from henceforth shall de-

Ex edit. Raft.



Petition.

mand of the King, lands, tenements, rents, or fees, annuities, or any other profits, should make exprefs mention in their petitions of the value of the thing so to be demanded, and also of that that they have had of the gift of the King, or of any of his progenitors or predecessors before: and in case they did not make such mention in their said petitions, and that duly proved, the King's letters patents should not be available to them, nor of no force nor effect, but wholly revoked, repealed, and annulled for ever, to the punishment of them which had done such deceit to the King, as they that be not worthy to enjoy the effect and benefit of the letters patents to them granted in this behalf: Our said sovereign lord the King considering, That a great part of the said statute is very hard for his liege people, and for so much willing thereof to provide remedy, of his own will, and certain knowledge hath granted to do grace and pardon to those that will pursue, of as much as they have mistaken themselves in their suit against the form of the said statute. And moreover the same our sovereign lord the King, to exclude all ambiguities in this behalf, because that the same statute is very obscure, and hath need of declaration, specially for ease and quietness of his people, will and granteth, That all they which from henceforth do sue to the same our sovereign lord the King, to have of him any grace or yearly gift, or in fee or otherwise, shall make exprefs mention in their petition, of how much they have had of the gift and grant of the noble King *Edward*, grandfather to our sovereign lord the King, or of *Richard* late King, or of *Edward* late prince of *Wales*, or of *John* late duke of *Lancaster*, father of our sovereign lord the King, or of the King himself, and of none other progenitor or predecessor of the same our sovereign lord. And he that maketh not such mention in his petition, his letters patents made to him at the same time by our sovereign lord the King, shall be of no force nor effect. And moreover as to the words that is to say, (*other profits*) comprised in the said statute, our sovereign lord the King hath declared and granted, That of no profits, gifts, goods or chattels, or any other things granted or given by the same our sovereign lord the King to any, to the value of C. li. or within, except wards and marriages, of which the King will that he, which so shall sue to him, shall make exprefs mention in his petition of the value of the same: none shall incur the pain comprised in the said statute. And it is not the King's mind, That for any confirmation or licence made to any by our said sovereign lord the King, of any liberties, franchises, annuities, or any other things granted by any of his progenitors or predecessors or other person, and not specified in any petition, so to be demanded otherwise than above is declared, none shall incur the pain of the said statute. And as to the other articles comprised in the same statute, our said sovereign lord will that they be firmly holden and kept and put in due execution.

Letters patents.

## CAP. III.

*If any do accept a provision granted by the pope to a religious person to be exempt from obedience, he shall be within the danger of the statute of provisors.*

**I**TEM ordeignez est & establi-  
z que si aucune provision  
soit fait par nostre saint Pier le  
pape a aucune persone de re-  
ligion ou a autre persone quel-  
conque destre exempte dobe-  
dience regulere ou dobedience  
ordinaire ou davoit aucune of-  
fice perpetuel deinz maisons  
de religion ou atant come une  
regulere persone religieuse ou  
deux ou plusours ont en ycelles  
que si tiels proviseurs desore en-  
avant acceptent ou enjoient  
aucune tiele provision qils en-  
courgent les peynes comprifez  
en estatut des proviseurs fait  
lan trefzisme le Roy RICHARD  
Second.

**I**TEM, it is ordained and  
stablished, That if any pro-  
vision be made by the bishop  
of Rome to any person of reli-  
gion, or to any other person,  
to be exempt of obedience regu-  
lar, or of obedience ordi-  
nary, or to have any office  
perpetual within houses of reli-  
gion, or as much as one regu-  
lar person of religion, or two  
or more, have in the same;  
that if such provisors from  
henceforth do accept or enjoy  
any such provision, they shall  
incur the pains comprized in  
the statute of provisors, made  
in the xiii. year of King RI-  
CHARD the Second.

12 R. 2. stat. 2.  
C. 3.  
13 El. c. 2.

## CAP. IV.

*The penalties for purchasing of bulls to be discharged of tithes.*

**I**TEM por ce que nostre seig-  
nur le Roy sur grevoule  
complaint a luy fait en cest  
parlement ad entenduz que les  
religieuses hommes de lordre  
de Cisteux del roialme dEngle-  
terre ont purchacez certaines  
bulles destre quitz & deschar-  
giez de leur dismes paier de  
leur terres tenementz & posses-  
sions lessiez a ferme ou cultivez  
& occupiez par autres personnes  
que par eux mesmes en grant  
prejudice & derogation de la  
liberte de seinte eglise & des  
pluseurs lieges du roialme nos-  
tre seignur le Roi veullant sur  
ceo purvoir de remede de ladviz  
& assent des toutz les seignurs  
espirituelx & temporelx & al  
instance & request des ditz  
communes ad ordeignez & esta-  
bliz

**I**TEM, for as much as our  
lord the King, upon grievous  
complaint to him made in this par-  
liament, hath perceived, That the  
religious men of the order of Ci-  
steaux in the realm of England,  
have purchased certain bulls to be  
quit and discharged to pay the  
tithes of their lands, tenements,  
and possessions let to ferm, or ma-  
nured, or occupied by other persons  
than by themselves, in great pre-  
judice and derogation of the liberty  
of holy church, and of many liege  
people of the realm; (2) our lord  
the King willing thereupon to  
ordain remedy, by the advice  
and assent of the lords spiritual  
and temporal, and at the in-  
stance and request of the said  
commons, hath ordained and  
stablished, That the religious

Religious persons purcha-  
sing bulls to  
be discharged  
of tithe shall  
incur the dan-  
ger of Præmu-  
nirc.

persons of the order of *Cisteaux* shall stand in the estate that they were before the time of such bulls purchased; (3) and that as well they of the said order, as all other religious and seculars, of what estate or condition they be, which do put the said bulls in execution, or from henceforth do purchase other such bulls of new, or by colour of the same bulls purchased, or to be purchased, do take advantage in any manner, that proces shall be made against them and every of them by writ of *Premunire facias*; (4) and if they make default, or be attainted, then they shall incur the pains and forfeitures contained in the statute of provisors, made the thirteenth year of the said King RICHARD.

13 R. 2. stat. 2.  
c. 3.

13 El. c. 2.

bliz qe les religieuses de lordre de Cisteux estoient en lestat qils feurent devant le temps des tielx bulles purchacez. Et qe sibiex ceux du dit ordre come toutz autres religieuses & seculers de quel estat ou condition qils soient qi mettent les dites bulles en execution ou desore enavant purchacent autres tielx bulles de novel ou par colour de mesmes les bulles purchacez ou a purchacers preignent avantage en aucune manere qe proces soit fait devers eux & chescun de eux par garnisement de deux moys par brief de *Premunire facias*. Et s'ils facent default ou soient atteintz qils encourgent les peines & forfaitures comprises en lestatut des proviseurs fait lan xiiieme. le Roy RICHARD suifdit.

### CAP. V.

*He that carrieth gold or silver out of the realm shall confesse so much.*

5 R. 2. stat. 1.  
c. 2.

**I**TEM, *whereas in the statute made at Westminster in the fifth year of the said King RICHARD, amongst other things it is contained, how it was assented, accorded, and enjoined by the said late King to all manner of people, merchants, clerks, and others, as well strangers as denizens, of whatsover estate or condition they should be, upon pain of as much as they might forfeit, that none of them, upon the said pain, privily nor openly should send or carry, nor cause to be sent or carried, out of the said realm of England, any gold or silver in money, bullion, plate, vessel, nor by exchange to be made, except the wages of Calais, and other the King's fortresses beyond the sea, having certain prelates, lords, and others com-*

2 Inst. 741.

**I**TEM come en lestatut fait a Westm' lan quint le dit Roi RICHARD entre autres choses soit contenuz coment assentuz estoit accordez & defenduz depar le dit nadgairs Roy as toutz maneres des gentz marchantz clerks & autres sibiex estranges come deinzains de quelconque estat ou condition qils ferroient sur peine de quant qils purroient forfaire qe nully de eux sur la dite peine en privee nen appert envoieiroit namefneroit ou ferroit envoieir ou amesner hors du roialme dEngleterre aucun or ou argent en monoie bollion plate vessel ne par eschange affaire exceptz les gages de Calays & des autres forteresses du Roi depar dela & exceptz par especial

cial prelatz seignurs & autres comprises en mesme lestatut eue sur ce primerement espediale congie & licence du Roy come par ycel estatut y purra plus pleinement apparoir nostre seigneur le Roy pur obvier a la subtilite de ceux qi vorront faire fraude ou deceit au luy celle partie ad ordeignez & establiiz qe si desore enavant aucun sercheour du Roy purra trover or ou argent en coyne ou en masse en la garde daucun qz soit en passant ou sur son passage en aucune nies ou vessel pur aler hors daucun port havene ou crike du roialme faunz espediale congte du Roy tout cel or ou argent soit forfait au Roy forspris ses resonables despenses queux il serra tenuz de confesser & decouvrir maintenant apres qe a ce faire il soit garniz & chargez par mesme le sercheour ou autrement tout celle monoie ensi concelee soit forfait au Roy purveu toutes voies qe les marchantz estrangez qi vendent leur marchandises deinz le roialme & la moite du monoie d'Engleterre receu pur mesmes les marchandises emploient sur autres marchandises du roialme puissent franchement apporter hors dicell lautre moite de la dite monoie par conge du Roy solonc lestatut ent fait.

*comprized in the same statute, without special leave, and licence thereupon first had, as by the same statute may more fully appear :*

(2) our lord the King, for to prevent the subtilty of them that will do fraud or deceit to him in this behalf, hath ordained and stablished, That if from henceforth any searcher of the King may find gold or silver in coin, or in mass, in the keeping of any that is passing, or upon his passage, in any ship or vessel to go out of any port, haven, or creek of the realm, without the King's special licence, all that gold or silver shall be forfeit to the King, (3) saving his reasonable expences, which he shall be bound to confesse and discover presently after that he is warned and charged so to do by the same searcher, or else all the said money so concealed shall be forfeit to the King.

(4) Provided always, That the merchants strangers that do sell their merchandise within the realm of *England*, and the one half of the money of *England* received for the same merchandises do employ upon other merchandises of the realm, may freely carry out from the same the other half of the said money by the King's licence, according to the statute thereof made.

He that carrieth gold or silver out of the realm shall confesse the same to the searcher.

Merchants strangers may carry half their money forth of the realm.

4 H. 4. c. 15.  
27 H. 6. c. 3.  
17 Ed. 4. c. 1.

19 H. 7. c. 5.

## CAP. VI.

*The money of Scotland, and of other countries beyond the sea, shall be voided out of England, or put to coin before Christmas.*

**I**TEM, for the great deceit that is in the money of gold and silver of *Flanders* and *Scotland*, that doth commonly run in payments made in divers parts of the realm, to the great damage of the King and of his people : it is ordained and stablished, That all the money of gold and silver of the coin of *Flanders*,

Ex edit. Rast. Money of gold and silver of *Flanders* and *Scotland*, &c.

*ders,*

ders, and of all other lands and countries beyond the sea, and also of the land of *Scotland*, shall be voided out of the realm of *England*, or put to coin to the bullion within the same realm, betwixt this and the feast of *Christmas* next ensuing, upon pain of forfeiture of the same. And that all the merchants and other at *Calais*, which do receive any such gold or silver of the coin of *Flanders*, or of other lands and countries beyond the sea, or of the land of *Scotland*, shall put the same to bullion at *Calais*, without bringing it in coin within the realm of *England*, and if the merchants, or any other from henceforth bring any such money within the realm of *England*, they shall forfeit the same money to the King. And moreover it is accorded, That a good and convenient search be made as well at *Calais* as on this side the sea in every port and other place upon the bringing of the money aforesaid.

11 H. 4. c. 5.  
13 H. 4. c. 6.  
2 H. 6. c. 6.  
Repealed  
21 Jac. 1. c. 28.

## CAP. VII.

*In what case the plaintiff shall not be nonsuit if the verdict pass against him.*

Br. Nonsuit, 6.  
Fitz. Nonsuit,  
6, 12, 13, 15.  
1 Inst. 139. b.

In what case  
if the verdict  
pass against  
the plaintiff  
he shall not  
be nonsuit.

**I**TEM, whereas upon verdict found before any justice in assise of Novel disseisin, Mortdauncester, or any other action whatsoever, the parties before this time have been adjourned upon difficulty in law upon the matter so found; (2) it is ordained and established, That if the verdict pass against the plaintiff, that the same plaintiff shall not be nonsuited.

**I**TEM por ce qe sur veredit trove devant quelconque justice en assise de novel disseisine mort dauncestre ou autre action quelconque les parties devaunt ces heures ont este adjournez sur difficulte en loye sur la matire issint trovez ordeignez est & establiz qe si le dit veredit passe encontre le pleintif qe mesme le pleintif ne foit nonsufy.

## CAP. VIII.

*The fee of the cyrographer of the common pleas for a fine levied.*

**I**TEM, upon the grievous complaint made to our lord the King by the commons in this present parliament, how that the office of the cyrographer in the common bench of the King is let to farm, to which office appertaineth, for making and writing of every fine levied in the said bench, four shillings and no more; and notwithstanding the same fee, the farmers of the same office will deliver no fine to any without giving to them other four shillings, or more by extortion, to the great damage and impoverishment of all the

**I**TEM sur la grevouise complainte faite a nostre seigneur le Roy par les communes en cest parlement coment loffice de cyrografer en le commune bank le Roi est lesez a ferme a quel office appartient pur les sesance & escripture de chescun fyn leve en le dit bank quatre souldz & nient plus & nonsoubstant cel fee les fermers de mesme loffice ne veullent delivrer nul fyn a nully sanz leur doner autres quatre souldz ou plus par extortion a grant damage & empoverissement de tout

tout le poeple nostre seigneur le Roy veullant celle partie purvoir de remede de ladvis & assent des seignurs espirituelx & temporelx & a la supplication des ditz communes ad ordeignez & establiz qe le cirografer ne son fermer lieutenant ou deputece pur le temps esteant desorenavant ne preigne pluis qe quartre souldz pur nul fyn leve en la court. Et si le dit fermer lieutenant ou deputece preigne pluis qe quatre souldz pur un fyn come dessus est dit qil perde son office & soit forjuggiez la court & eit emprisonnement par un an & paie a la partie greve ses trebles damages & ait la partie grevee sa suite devant les justices du dit bank.

*the King's liege people*; (2) our lord the King willing in this behalf to provide remedy, by the advice and assent of the lords spiritual and temporal, and at the supplication of the said commons, hath ordained and established, That the cyrographer, nor his farmer, deputy, or lieutenant for the time being, shall from henceforth take any more than four shillings for any fine levied in the court. (3) And if the said farmer, lieutenant, or deputy, take any more than four shillings for a fine, as before is said, he shall lose his office, and be forejudged the court, and have one year's imprisonment, and pay to the party grieved his treble damages; (4) and the party grieved shall have his suit before the justices of the said bench.

The fee of the cyrographer of the common pleas.

The penalty if the cyrographer takes more than his fee.

13 Ed. 1. stat. 1. c. 44.

### C A P. IX.

*Such as were commissioners in the time of King RICH. II. and spoiled thereof, or that delivered the same, shall be discharged by their oaths.*

**I**TEM, whereas late in the time of King *Richard* divers persons were assigned at divers times by commissions of the said King *Richard*, to inquire, and to do after purport of their commission within the realm of *England*, and now process is made as well in the chancery as in the exchequer against the said commissioners, to certify the inquisitions and other things before them taken by vertue of the said commissions, whereas some of the said commissioners in the pursuit of the said King *Richard* were rifled and pilld of the said inquisitions and other things before them taken by force of their said commissions (and also of their proper goods) and some of the said commissioners by the commandment of Sir *William le Scrope*, sometime treasurer of *England*, did deliver all their inquisitions and other things so taken before them to the said treasurer, so that the commissioners have nothing in their custody to certify to the said courts. Whereupon our sovereign lord the King, considering the mischiefs aforesaid, and by so much willing to do grace to such commissioners: by the advice and assent of the lords spiritual and temporal, and at the prayer of the said commons, hath ordained and stablished, That none of the said commissioners so rifled or pilld, nor none that delivered their inquisitions

Ex edit. Rast. Commissions.

itions

sitions and other things taken before them to the said late treasurer, shall in no wise be charged to make thereof any certification in any court of the King, but shall be thereof by the oath clearly discharged.

## CAP. X.

*The fee of the clerk of the crown of the King's bench for indictments.*

4 Inst. 74.

**I**TEM, because that complaint is made to our said lord the King by the said commons, how the clerk of the crown of the King's bench, whereas fourscore or an hundred men be indicted of one felony, or of one trespass, and all they plead to an issue as Not guilty, the said clerk ought not to take for the Venire facias, nor for entering of the plea, more than ii s. the said clerk doth take for every such name by extortion ii s. in great oppression of the people; (2) our said lord the King, willing to preserve his said people from such extorsions and injuries, by the assent of the said lords spiritual and temporal, and at the suit of the said commons, hath ordained and established, That the said clerk of the crown shall take no more than hath been duly used of old times. (3) And moreover our said lord the King hath charged the justices of the King's bench, that no extortion be done in this behalf in the bench aforesaid.

The clerk of the crown of the King's bench shall take no more for indictments than hath been used,

**I**TEM por ce que plainte est faite a nostre dit seigneur le Roy par les ditz communes coment le clerck del corone de bank du Roy la ou vint quarant ou cent hommes sont erditez dune felonie ou dune trespas & toutz ceux pledent a issue come de rien coupable le dit clerck ne deust prendre pur le Venire facias ne pur lentrete du plee plus que deux soulz mesme le clerck prent pur checun tiel noun par extortion deux soulz en grand oppression du poeple nostre dit seigneur le Roy veullant sauver son dit poeple des tielx extorsions & injuries de ladvis & assent des ditz seignurs espiertuelx & temporelx & a la priere des communes suisditz ad ordeignez & establiz que le dit clerck del corone ne preigne plus que nad eitee duement usee dauncien temps. Et outre ceo mesme nostre seigneur le Roy ad chargez les justices de bank de Roy que null extortion soit faite celle partie en le bank suisdit.

## CAP. XI.

*A remedy for him who is wrongfully pursued in the court of admiralty.*

13 Co. 52.  
The statute of 13 R. 2. stat. 1. c. 5. confirmed, touching the admirals jurisdiction.

**I**TEM, whereas in the statute made at Westminster the thirteenth year of the said King RICHARD, amongst other things it is contained, That the admirals and their deputies shall not intermeddle from thenceforth of any thing

**I**TEM come en lestatut fait a Westm' lan treziesime le dit Roy RICHARD entre autres choses soit contenuz que les admirals & leur deputees ne soy medlent deslors enavant de nulle chose faite deinz le Roialme

alme mais foulement de chose faite sur la meer solonc ce qad este duement usez en temps de noble Roy EDWARD Aiel le dit Roi RICHARD nostre dit seigneur le Roy voet & grante qe le dit estatut soit fermement tenuz & gardez & mys en due execution. Et outre ce mesme nostre seigneur le Roy de ladvis & assent des seignurs espirituelx & temporelx & al prier des ditz communes ad ordeignez & establiz qe quant a peine mettre sur ladmirall ou son lieutenant qe lestatut & la commune loye soient tenuz devers eux & qe celuy qi soy sent greve encontre la fourme du dit estatut ait saction par brief foundu sur le cas envers celuy qenfi pursue en la courte de ladmiraltee & recoevre ses damages devers mesme le poursuant au double & encourage mesme le poursuant la peine de x li. envers le Roy pur la poursuite ensi faite sil soit atteint.

*thing done within the realm, but only of a thing done upon the sea, according as it hath been duly used in the time of the noble King EDWARD, grandfather to the said King RICHARD; (2) our said lord the King will and granteth, That the said statute be firmly holden and kept, and put in due execution. (3) And moreover, the same our lord the King, by the advice and assent of the lords spiritual and temporal, and at the prayer of the said commons, hath ordained and stablished, That as touching a pain to be set upon the admiral, or his lieutenant, that the statute and the common law be holden against them; (4) and that he that feeleth himself grieved against the form of the said statute, shall have his action by writ grounded upon the case against him that doth so pursue in the admiral's court; (5) and recover his double damages against the pursuant; (6) and*

A remedy for him who is wrongfully pursued in the court of the admiralty.

5 Co. 106.  
Dyer, 159.

Cro. Car. 296,  
603.  
4 Mod. 176.  
1 Salk. 31.

the same poursuant shall incur the pain of ten pounds to the King for the pursuit so made, if he be attained.

Raft. 23.

## C A P. XII.

### *Certain restraints laid on wbolly born Welshmen.*

**I**TEM, it is ordained and established, That from henceforth no *Welshman* whole born in *Wales*, and having father and mother born in *Wales*, shall purchase lands and tenements within the town of *Chester, Salop, Bridgenorth, Ludlow, Leominster, Hereford, Gloucester, Worcester*, nor other merchant towns joining to the marches of *Wales*, nor in the suburbs of the same, upon pain of forfeiture of the same lands, and tenements to the lords of whom such lands or tenements be holden in chief. And also that no such *Welshman* be from henceforth chosen or received to be citizen or burges in any city, borough or merchant town, and that such *Welshmen*, which now be in any such city, borough, or franchised town, being citizens or burgeses, shall find sufficient surety, and put a good caution of their good bearing, as well towards our sovereign lord the King and his heirs of his realm of *England*, as for to hold their loyalty to the governors of such cities, boroughs, or towns for the time being, in salvation of the same cities, boroughs, or towns, if the same

Ex edit. Raft.  
Welshmen  
born.

*Welshmen*



*Welshmen* will dwell therein, so that none of them from henceforth be received nor accepted to no office of mayor, bailiff, chamberlain, constable, or warden of the ports of the gaol, nor to the common council of such cities, boroughs or towns, nor that he be in no wise made other occupier or officer in the same, nor that none of the said *Welshmen* from henceforth bear any manner of armour within such city, borough, or merchant town, upon pain of forfeiture of the same armour, and imprisonment till they have made fine in his behalf.

Repealed by  
21 Jac. I. c. 28.

### C A P. XIII.

*The effect of the pardon granted by stat. 21 R. II. c. 15. rehearsed and confirmed, notwithstanding the residue of the said parliament is repealed.*

**I**TEM, whereas the said *Richard* late King of *England*, at his parliament holden at *Westminster*, and adjourned towards *Salop*, the xxi. year of his reign, by a statute did pardon and release to all his liege people of *England*, of whatsoever estate or condition they were, and to every of them all manner escapes of felons, chattels of fugitives and of felons, trespasses, negligences, misprisions, ignorances, and all other articles of the eyre, and all other things fallen or chanced within the realm of *England*, the punishment whereof should lie in fine or in ransom, or in other pecuniar pains, or otherwise imprisonment or ameraciements of the commons of towns or of singular persons, or in charge of their freehold, that never offended as heirs or landtenants, of escheators, sheriffs, or coroners, or other such officers, and also hath pardoned and released to them all manner of gifts, alienations or purchases made by them, or by any of them, of lands, tenements, or other possessions holden of him in chief without the King's licence, and all manner of entries made into their inheritances, purchases, or otherwise in part or in all, after the death of their ancestors, or of any other, without suit or due process thereof made, till the Thursday the last day of the said parliament, except those lands, tenements, and possessions, which be aliened into Mortmain without the licence royal. And also hath wholly pardoned and released to them all manner of fines, ameraciements, issues, forfeits not adjudged nor determined, made, fallen or chanced within the same realm before the said Thursday: our said sovereign lord the King, by the advice and assent of all the lords spiritual and temporal, and at the special request and prayer of the said commons, will and granteth, That all his liege people, and every of them, may have, use, and enjoy the privilege and benefit, of the said pardon and statute, notwithstanding that the said parliament, made the said xxi. year, and all the statutes made in the same, and all the circumstances and dependences of the same parliament be utterly adnulled, revoked, and repealed in the parliament of our sovereign lord the King that now is, holden at *Westminster* the first year of his reign.

Pardon.

## CAP. XIV.

*Purveyance for the King's house of 40 s. or under, shall be presently paid for.*

**I**TEM, it is ordained and stablished, That the statutes of Purveyor. purveyors, made before this time, be holden and kept, and put in due execution, joined to the same, that from henceforth no purveyor nor buyer make any purveyance or buying for the King's house of any thing to the value of xl. s. or within, unless he make ready payment in hand, upon pain to lose his office, and to pay as much to the party grieved. 20 H. 6. c. 8.  
12 Car. 2. c. 24.

## CAP. XV.

*The orthodoxy of the faith of the church of England asserted, and provision made against the oppugners of the same, with the punishment of Hereticks.*

**I**TEM, whereas it is shewed to our sovereign lord the King on the behalf of the prelates and clergy of his realm of *England* in this present parliament, That although the Catholic faith builded upon Christ, and by his apostles and the holy church sufficiently determined, declared, and approved, hath been hitherto by good and holy and most noble progenitors of our sovereign lord the King in the said realm amongst all the realms of the world, most devoutly observed, and the church of *England* by his said most noble progenitors and ancestors, to the honour of God and of the whole realm aforesaid, laudably endowed, and in her rights and liberties sustained, without that that the same faith or the said church was hurt or grievously oppressed, or else perturbed by any perverse doctrine or wicked heretical or erroneous opinions: yet nevertheless divers false and perverse people of a certain new sect, of the faith of the sacraments of the church, and the authority of the same damnably thinking, and against the law of God and of the church usurping the office of preaching, do perversly and maliciously in divers places within the said realm under the colour of dissembled holiness, preach and teach these days openly and privily divers new doctrines and wicked, heretical and erroneous opinions, contrary to the same faith and blessed determinations of the holy church. And of such sect and wicked doctrine and opinions they make unlawful conventicles and confederacies, they hold and exercise schools, they make and write books, they do wickedly instruct and inform people, and as much as they may excite and stir them to sedition and insurrection, and make great strife and division among the people, and other enormities horrible to be heard daily do perpetrate and commit, in subversion of the said Catholic faith and doctrine of the holy church, in diminution of God's honour, and also in destruction of the estate, rights and liberties of the said church of *England*, by which sect and wicked and false preachings, doctrines, and opinions of the said false and perverse people, not only most greatest Catholic faith.  
Rast. 319.  
Bro. heresy, 1.  
F.N.B. 269. D. peril

peril of the souls, but also many more other hurts, slanders, and perils, (which God prohibit) might come to this realm, unless it be the more plentifully and speedily holpen by the King's majesty in this behalf, namely, whereas the diocefans of the said realm cannot by their jurisdiction spiritual, without aid of the said royal majesty, sufficiently correct the said false and perverse people, nor refrain their malice, because the said false and perverse people do go from diocese to diocese, and will not appear before the said diocefans, but the same diocefans and their jurisdiction spiritual, and the keys of the church with the censure of the same, do utterly contemn and despise, and so their wicked preachings and doctrines doth from day to day continue and exercise, to the hatred of right and reason, and utter destruction of order and good rule. Upon which novelties and excesses above rehearsed, the prelates and clergy aforesaid, and also the commons of the said realm being in the same parliament, prayed our sovereign lord the King, that his royal highness would vouchsafe in the said parliament to provide a convenient remedy: the same our sovereign lord the King graciously considering the premises, and also the laudable steps of his said most noble progenitors and ancestors, for the conservation of the said Catholic faith, and sustentation of God's honour, and also the safeguard of the estate, rights and liberties of the said church of *England*, to the laud of God, and merit of our said sovereign lord the King, and prosperity and honour of all his said realm, and for the eschewing of such dissensions, divisions, hurts, slanders, and perils, in time to come, and that this wicked sect, preachings, doctrines and opinions should from henceforth cease and be utterly destroyed, by the assent of the states and other discreet men of the realm, being in the said parliament, hath granted, stablished, and ordained, from henceforth firmly to be observed: That none within the said realm, or any other dominions, subject to his royal majesty, presume to preach openly or privily, without the licence of the diocesan of the same place first required and obtained, curates in their own churches, and persons hitherto privileged, and other of the canon law granted, only except. Nor that none from henceforth any thing preach, hold, teach or instruct openly or privily, or make or write any book contrary to the Catholic faith or determination of the holy church, nor of such sect and wicked doctrines and opinions, shall make any conventicles, or in any wise hold or exercise such schools. And also that none from henceforth in any wise favour such preacher, or maker of any such and like conventicles, or holding or exercising schools, or making or writing such books, or so teaching, informing or exciting the people, nor any of them maintain or any wise sustain. And that all singular having such books or any writings of such wicked doctrine and opinions, shall really with effect deliver or cause to be delivered all such books and writings to the diocesan of the same place within xl. days, from the time of the proclamation of this ordinance and statute. And if any person or persons,

wha

Preaching.

whatsoever kind, estate, or condition that he or they be, from henceforth do or attempt against the royal ordinance and statute aforesaid in the premisses or in any of them, or such books in the form aforesaid do not deliver, then the diocesan of the same place in his diocese, such person or persons in this behalf defamed or evidently suspected and every of them may by the authority of the said ordinance and statute cause to be arrested, and under safe custody in his prisons to be detained, till he or they of the articles laid to him or them in this behalf, do canonically purge him or themselves, or else such wicked sect, preachings, doctrines, and heretical and erroneous opinions do abjure, according as the laws of the church do require, so that the said diocesan by himself or his commissaries do openly and judicially proceed against such persons so arrested, and remaining under his safe custody to all effect of the law, and determine that same business according to the canonical decrees within three months after the said arrest; any lawful impediment ceasing. And if any person in any case above expressed, be before the diocesan of the place or his commissaries canonically convicted; then the same diocesan may do to be kept in his prison the said person so convicted for the manner of his default; and after the quality of the offence according and as long as to his discretion shall seem expedient, and moreover to put the same person to the secular court (except in cases where he according to the canonical decree ought to be left) to pay to our sovereign lord the King his pecuniar fine, according as the same fine shall seem competent to the diocesan, for the manner and quality of the offence, in which case the same diocesan shall be bound to certify the King of the same fine in his exchequer by his letters patents sealed with his seal to the effect that such fine by the King's authority may be required and levied to his use of the gods of the same person so convicted. And if any person within the said realm and dominions, upon the said wicked preachings, doctrines, opinions, schools, and heretical and erroneous informations or any of them be before the diocesan of the same place or his commissaries sententially convicted; and the same wicked sect; preachings, doctrines and opinions, schools and informations; do refuse duly to abjure, or by the diocesan of the same place or his commissaries after the abjuration made by the same person pronounced fall into relapse, so that according to the holy canons he ought to be left to the secular court, whereupon credence shall be given to the diocesan of the same place, or to his commissaries in this behalf, then the sheriff of the county of the same place, and mayor and sheriff or sheriffs, or mayor and bailiffs of the city, town and borough, of the same county next to the same diocesan or the said commissaries, shall be personally present in preferring of such sentences; when they by the same diocesan or his commissaries shall be required: and they the same persons and every of them, after such sentence promulgate, shall receive, and them before the people in an high place do to be burnt, that such punishment may strike in fear to the minds of

other, whereby no such wicked doctrine and heretical and erroneous opinions, nor their authors and fautors in the said realm and dominions against the chatholick faith, christian law, and determination of the holy church (which God prohibit) be sustained or in any wise suffered, in which all and singular the premises concerning the said ordinance and statute, the sheriffs, mayors and bailifs, of the said counties, cities, boroughs, and towns, shall be attending, aiding and supporting, to the said offences and their commissaries.

Repealed 25  
H. 8. c. 14.  
1 Ed. 6. c. 12.  
1 Eliz. c. 11  
29 Car. 2. c. 9.

## CAP. XVI.

*If Welshmen do not restore to Englishmen the distresses taken by them within seven days, Englishmen may return the like measure to them.*

Ex edit. Rast.  
Welshmen.

**I**TEM, whereas upon the grievous complaint made to our sovereign lord the King by the commons in the parliament, how the people of *Wales*, sometime by day and sometime by night, cometh within the counties joyning upon the marches of *Wales*, and doth take divers distresses of horses, oxen, kine, sheep, swine, and other their goods to a great number, and the same doth lead, drive, and carry away to the seignories where they be resiant, and there withholdeth them till gree be made at their will, and that as well of them that have not offended, as of them that have offended, and also the said people of *Wales* doth daily arrest the people of the said counties coming with their merchandises or other their goods and chattels, and affirmed complaints against them of debts, covenants, trespasses, and other actions, whereof they be not parties nor pledges, to the intent to grieve them by divers and outrageous amerçiements and costs to the great impoverishing and utter undoing of the people of the said counties: our sovereign lord the King considering the mischiefs aforesaid, and willing thereupon to provide remedy by the assent and advice of the said lords, and at the request of the commons hath ordained and established; That if any people of the said counties be arrested and grieved, as afore is said maintainant letters testimonials shall be made, reciting their grievance, directed to the governors or stewards, where such offenders be resiant with their goods or chattels received in *Wales*, under the seals of the sheriffs of the said counties, or of the mayors and bailifs of the cities and boroughs, or stewards of franchises, where such people so grieved be dwelling, to the intent that the said governors or stewards shall do to be delivered to them their distresses, goods, and chattels so taken or arrested. And if they make not delivery of such distresses, goods, or chattels so taken or arrested, within seven days after request so to them made, then it shall be lawful to the *English* people so grieved, to arrest all men that cometh with the goods and chattels of them of the seignories of *Wales*, where such offenders be inhabiting or resiant, and the same to retain, till that full agreement be made to the said parties grieved with their mysces, costs and expence.

expences, together with their distresses, goods, and chattels  
aforesaid.

Repealed  
21 Jac. 1. c. 28.

C A P. XVII.

*If a Welshman commit a felony in England, and thereof is  
attainted, and after flight into Wales, upon certificate of  
the King's justices he shall be executed.*

**I**TEM, it is ordained and established, That if any *Welshman*,  
from henceforth do enter in the counties joining to the same  
in the realm of *England*, and in the same do burn, kill, ravish,  
or commit any other felony or trespass, whereof he is attainted  
within the realm of *England*, by the laws of the same realm, by  
outlawry or abjuration, and repaireth into *Wales*, and abideth  
there: that upon the certification, and records to be made by  
the justices of our sovereign lord the King in *England*, before  
whom they shall be so convict, under their seals to the lords and  
ministers where such felons shall be found in *Wales*, final execu-  
tion be made upon the same felons by the same lords or ministers,  
and that upon a grievous pain.

Welshmen:

Repealed  
21 Jac. 1. c. 28.

C A P. XVIII.

*Lords marchers in Wales shall keep sufficient guards in their  
castles.*

**I**TEM, it is accorded and established, That the lords of the  
marches of *Wales* shall ordain and set sufficient stuffing and  
ward in their castles and seignories of *Wales*, to the intent that  
in time to come no loss, riot, nor damage come of our sovereign  
lord the King or to his realm, nor to none of his liege people  
by their tenants, resiants, nor none other *Welshmen* in their de-  
fault, as hath come and be done for default of good governance  
in time past.

Lords.  
Marches.  
Wales.

Rep. 21 Jac.  
1. c. 28.

C A P. XIX.

*No Englishman shall be condemned at the suit of a Welsh-  
man in Wales, but only by English justices, or English  
burgesses.*

**I**TEM, it is ordained, That no whole *Englishman* by three  
years next following shall be convict at the suit of any *Welsh-  
man* within *Wales*, except it be by the judgment of *English* jus-  
tices, or by the judgment of whole *English* burgesses, or by in-  
quest of borough towns and *Englishmen* of the seignories where  
such *Englishmen* be arrested:

Welshman.  
Wales.

C A P. XX.

*No Welshman shall purchase land in England, nor in the  
English towns in Wales.*

**I**TEM, it is accorded and assented, That from henceforth no  
*Welshman* be received to purchase lands nor tenements with-  
*England*, nor within the boroughs nor *English* towns of *Wales*,  
on pain to forfeit the same purchases to the lords, of whom  
said lands and tenements be holden, as such estate which the

Welshmen.  
Purchase.  
Vide superius  
c. 12.

Rep. 21 Jac. 7. c. 18. said purchaser had in the same, nor that no *Welshman* shall be accepted burghers, nor to have any other liberty within the realm, nor within the boroughs and towns aforesaid.

## CAP. XXI.

*No lord shall give any livery or sign to any knight, esquire, or yeoman.*

Ex edit. Pult. No lord shall give any livery or sign to any knight, esquire, or yeoman.

**I**TEM, whereas in the last parliament it was ordained and established, That no lord of what estate or condition he were, should use nor give any livery or sign of company to any knight, esquire, nor yeoman within the realm aforesaid; saving always, That our lord the King should give only his honourable livery to the lords temporal, whom pleased him; and saving also, That the same our lord the King should give only his honourable livery to his menials, knights, and esquires, and also to his knights and esquires which be of his retinue, and take of him their annual fee for term of life: (2) and moreover it was accorded and assented by the King, the lords and the commons aforesaid, That the said knights and esquires should in no wise use their said liveries in their county or counties where they should be resident and dwelling, nor elsewhere within the realm out of the King's presence; (3) and if any lord did the contrary, and that duly proved, he should make fine and ransom at the King's will: (4) and if any knight or esquire did the contrary, and thereof were duly attainted, he should lose his said livery, and forfeit his fee for ever: (5) and that no yeoman should take or use any livery of the King, or of any other lord, upon pain of imprisonment, and to make fine and ransom at the King's will: (6) provided always, that the constable and marshal of *England* for the time being in their retinue of knights and esquires, may wear the said livery of the King upon the borders and marches of the realm in time of war.

The several forfeitures of several offenders.

A confirmation of the statute 1 H. 4. c. 7. ordained against unlawful giving or wearing of liveries.

**II.** Provided also, That all those that shall travel or pass the sea to the parts beyond the sea, to acquire honour, may wear the same livery in those parts without being thereof in any-wise grieved or appeached, as in the statute thereof made more fully is contained. (2) Our said lord the King considering the same statute to be very expedient and necessary, hath ordained and established, That the same statute shall be firmly holden and kept, (3) joined thereto, That the justices of the one bench and of the other, and the justices of assize and of the peace, have power and authority to enquire, hear, and determine in this case, by record in their presence, or by inquiry to be made from time to time, (4) and that the dukes, earls, barons, and bannerets of the realm, may use the said livery in their country and elsewhere; (5) and also that the said knights and esquires may use the said livery in going from the King's house and returning to the same. (6) Provided always, That the same knights and esquires use not the same livery in their counties or counties where they be resident or dwelling, upon the pain contained in the said statute. (7) Moreover it is accorded, That the prince

The prince may give his

may give his honourable liveries or sign to the said lords, and to his menial gentlemen, (8) And that the said lords may use the same as they use the King's livery, and that the menials of the prince may also use the same as the King's menials, and in the manner, and upon the pains aforesaid.

## CAP. XXII.

*Suits may be prosecuted against certain persons meant to be protected by the statute of 11 Rich. II. c. 1 & 2.*

**I**TEM, whereas in the statute made in the xi. year of the said King RICHARD, amongst other things it is contained, That no man should pursue any thing contrary to the same that then was ordained or judged, touching them against whom the judgment of forfeiture was given in the same parliament, upon the pain of the same forfeiture comprised in the same ordinance: our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained and established, That no man be grieved nor endangered by any suit made or to be made to the contrary of the said ordinance, and that every man be free and at large to pursue to have grace and remedy without any impeachment, notwithstanding the ordinance aforesaid.

## CAP. XXIII.

*The fees of the marshal of the marshalsea of the King's house.*

**I**TEM pur ce que le mareschall de la mareschalcie del courte de loustell nostre seignur le Roy en temps de Roy EDWARD aiel nostre seignur le Roy qorest & devant soloit prendre les fees qensuent cest-assavoir de chescun qi vient par Capias a dite courte iiii d. & sil soit lesse a mayneprise tanq son jour ii d. outre & de chescun qest emplede de trespas & trove deux mainpournours pur garder ses jours tanqe a fyn de plee de prendre pur celle cause de defendant ii d. de chescun commys a prisone par jugement de Seneschall en queconque manere que ceo soit iiiii d. de chescun deliveree de felonie iv. d. de chescun felon lesse a maynprise par la courte iv. d. queux fees soloient estre prises & paieez en pleine courte come le Roy ad bien entenduz par la

**I**TEM, whereas the marshal of the marshalsea of the court of our lord the King's house, in the time of King EDWARD, grandfather of our lord the King that now is, and before, was wont to take the fees which do hereafter follow; that is to say, of every person that cometh by capias to the said court, four pence; (2) and if he be let to mainprise till his day, two pence more; (3) and of every person which is impleaded of trespass, and findeth two mainpournours to keep his day till the end of the plea, to take for that cause two pence of the defendant; (4) and of every person committed to prison by judgment of the steward, in whatsoever manner the same be, four pence; (5) of every person delivered of felony, and of every felon let to mainprise by the court, four pence; (6) which fees were wont to be taken and paid in full court,

The fees of the marshal of the marshalsea of the King's house.



*court, as the King hath well perceived by the complaint of the said commons thereof made in the said parliament:* (7) The same our lord the King, to avoid all such wrongs and oppressions to be done to his people, against the good customs and usages made and used in the time of his progenitors, by the advice and assent of the lords spiritual and temporal, and at the supplication of the said commons, hath ordained and established, That if the said marshal, or his officers under him, take other fees than above are declared, that the said marshal, and every of his said officers, shall lose their offices, (8) and pay treble damages to the party grieved, (9) and that the party grieved have his suit before the steward of the said court for the time being.

The penalty on the marshal for taking more than his lawful fees.

The fees of a servitor of bills, and the penalty if he take more.

II. Also it is ordained and established, That no servitor of bills that beareth a staff of the same court, shall take for every mile from the same court to the same place where he shall do his service, any more than i d. and so for 12 miles xii d. (2) And for to serve a *Venire facias xii homines*, &c. or a *Disringas* out of the same court, the double: (3) and if any of the said servitors of bills do the contrary, he shall be punished by imprisonment, and make a fine to the King after the discretion of the steward of the same court, and also be forejudged the court. (4) And the same steward shall have power to make proclamation at his coming to the said court\* in every county, from time to time, of all the articles aforesaid, ment as afore is said.

\* At the coming of the said Court.  
9 R. 2. c. 5.

la complainte des dites communes en fait en cest parlement mesme nostre seigneur le Roi pur ouster toutes duretes & oppressions affaires a son poeple encontre les bons usages & costumes faitz & uzez en temps de ses progeniteurs de ladvis & assent des seigneurs espirituels & temporelx & a la supplication des dites communes ad ordeignez & establiz qe si le dit mareschall ou ses ministres de soutez luy preigne ou preignent autres fees qe desuis sont declarez qe mesme le mareschall & chescun de ses ditz ministres perde & perdent lour offices & paie ou paient trebles damages a partie grevee et qe la partie grevee ait sa seute devant le seneschall du dite courte pur le temps esteant.

Et auxint ordeignez est & establiz qe nul servitour des billes qi porte baston de mesme la courte ne preigne pur chescun leuk del courte tanqal lieu ou il fra son office plus qun denier & ensi pur xii. leukes xi deniers & pur servire *venire facias xii. homines* &c. ou ditz hors de mesme la courte le double & si ascun des ditz servitours des billes face a contraire qil soit puriz par emprisonement & face fyn ou Roi selonc la discretion de seneschall de mesme la courte & soit forjuge la courte. Et eit mesme le seneschall poair de faire proclamation al venue de dite courte en chescun pais de temps en temps de toutz les articles avaunt ditz & dent faire punissement come desuis est dit.

and thereof to execute punish-

## C A P. XXIV.

*Process against those that were with the duke of York, 23 Rich. 2. for their wages then received shall be discharged.*

**I**TEM, Whereas the commons complaining have shewed to our sovereign lord the King in the parliament, how that in time of the said late King Richard, the xxiii. year of his reign, it was commanded throughout the realm, and to certain people of the realm charged upon their liegance to come to the duke of York, then being lieutenant of England, to go and tarry with him, at the King's wages, and now certain processses be made out of the exchequer against the said people, for the sums of money then taken by them for their said travail and abiding with the lieutenant aforesaid, to the great damage of their estates: It is ordained and established by the King and the lords, and at the request of the said commons, that the same commons and every of them, and every sheriff of England then being, may account before the barons of the exchequer by their oath of the said sums so received, and to be thereof discharged by their oath, without suing other warrant. And that they and every of them have due allowance of that that they or any of them have expended and payed for wages in riding and tarrying with the said lieutenant, to the sum by them or any of them received.

Ex edit. Rast.  
Account.

Statutes made at Westminster, Anno 4 HEN. IV.  
and Anno Dom. 1402.

**A**L honouir de Dieux & de seinte esglise & pur les commune bien & profit de tout le roialme dEngleterre nostre seignur le Roy de lassent des seignurs esperituelx & temporelx & a les especialx instance & request des communes assemblez au parlement tenuz a Westm' lendemayn de seint Michel lan de son regne quart ad ordeignez & establiz certains estatutz & ordinances par manere quenseute,

**T**O the honour of God and holy church, and for the common wealth and profit of all the realm of England, our lord the King, by the assent of the lords spiritual and temporal, and at the special instance and request of the commons, assembled at the parliament holden at Westminster the morrow after the feast of St. Michael, the fourth year of his reign, hath ordained and established certain statutes and ordinances by the manner as followeth.

## C A P. I.

*A confirmation of the liberties of the church, and of all corporations and persons.*

**P**Rimerement qe seinte esglise ait toutes ses libertees

**F**IRST, That holy church have all her liberties and

A confirma-  
tion of the li-  
berties of the  
church, and of  
all corpora-  
tions and per-  
sons, and of  
all statutes  
not repealed.

franchises; (2) and that the lords spiritual and temporal, and all the cities, boroughs, and towns franchised, have and enjoy all their liberties and franchises, which they have had of the grant of the progenitors of our said lord the King, Kings of *England*, and of the confirmation of the same our lord the King; (3) and that the Great Charter, and the Charter of the Forest, and all the good ordinances and statutes made in the time of our said lord the King in the time of his progenitors, not repealed, be firmly holden and kept.

tees & franchises & que toutz les seignurs espirituelx & temporelx & toutz les citees burghs & villes enfranchises aient & enjoient toutes leur libertees & franchises queux ils ont de grante des progeniteurs nostre dit seigneur le Roy Roys d'Engleterre & de confirmation mesme nostre seigneur le Roy & que la Grande Chartre & la Chartre de la Foreste & toutz les bons ordinances & estatutz faitz en temps nostre dit seigneur le Roy & en temps de ses ditz progenetours nient repellez soient fermement tenuz & gardez.

## CAP. II.

*The words* Infidiatores viarum, &c. *shall not be put in any indictments, &c.*

3 Inst. 204.  
A confirma-  
tion of the sta-  
tute made 25  
Ed. 3. de Clero.

**I**TEM, our said lord the King having in remembrance the faithful hearts and the inward affection that the clergy of *England* hath borne to him, and also the great charges which the same clergy hath had and sustained for his honour and profit after the time of his coronation, and therefore willing to be a gracious lord to them in their affairs, by the assent of the said lords, at the special suit and request of the said commons, will and granteth, That the statutes made the five and twentieth year of King EDWARD, grandfather to our lord the King that now is, touching the clergy of *England*, be entirely holden and kept, and put in due execution.

II. And moreover the same our lord the King, considering that the words and terms (that is to say) *Infidiatores viarum, & depopulatores ag-*

**I**TEM nostre dit seigneur le Roy aiant en memoire les entiers coers & les grandes naturesses queux le clergie d'Engleterre luy ad monstrez & auxi les grandes charges queux mesme le clergie ad eue & sustenu pur son honour & profit puis les temps de son coronement & pur tant leur veillant monstrier graciouse seignourie en leur affaires de lassent des ditz seignurs & a les especialx prier & request des ditz communes voet & grante que les estatutz faitz lan vint & quint le Roy EDWARD aiel nostre dit seigneur le Roy touchant le clergie d'Engleterre soient enferment tenuz & gardez & mys en due execution.

Et en outre mesme nostre seigneur le Roy considerant que les parols & termes cestassavoir *Infidiatores viarum & depopulatores agrorum* comprises en la petition a luy baillez en cest parlement par le clergie d'Engleterre

The words  
*Infidiatores vi-*  
*arum & depopu-*  
*latores agrorum*, shall  
not be put in  
indictments or  
appeals.  
3 Inst. 41.

leterre nont este commune-  
ment usez en enditementz ar-  
rettementz nen autres empes-  
chementz en temps de son dit  
aiel nen temps de ses autres  
nobles progenitours. Et veul-  
lantz par tant oustier tielles no-  
velleries pur la greindre quiete  
& seurtee de son poeple de las-  
sent des seignurs & communes  
de mefine le parlement voet &  
grante & ad ordeigne & esta-  
blie qe les susditz parols & ter-  
mes ne soient desore enavant  
uses ne mys en enditementz  
arrettementz appellez nen au-  
tres empeschementz quelxcon-  
ques. Ne qe par force de nul  
tiel parol ne terme aucun clerc  
seculer ou religious ne aucun  
autre persone liege nostre sei-  
gnur le Roy soit desore ena-  
vant areinez appelez empeschez  
ne molestez devaut aucun  
juge seculer mes voet bien  
nostre dit seignur le Roy qe ses  
justices prendre & recevoir  
purront devaut eux endite-  
mentz arrettementz & appellez  
de felonies en soy portant les-  
fect des susditz parols & termes  
si aucuns des tielles felonies  
serront desore enditez rettez ou  
appelez. Et si par cas en  
temps avenir aucuns clerks se-  
culers ou religious soient ou  
serront enditez rettez ou appel-  
lez & leurs enditementz arret-  
tementz ou appellez portent  
lesfect des ditz parols cestass-  
voir *Insidiatores viarum* & de-  
populatores agrorum ou autres  
parols portantz effect sembla-  
ble nientmeyns eient tielx  
clerks & enjoient le privilege  
de seinte esglise & soient live-  
rez as ordinairs eux deman-  
dantz ou a lour deputez sanz  
nul empeschement ou delaie.

clerks shall have and enjoy the

*rorum*, comprised in the peti-  
tion delivered to him in this  
parliament by the clergy of  
*England*, have not been com-  
monly used in indictments,  
arraignments, appeals, nor in  
other impeachments in the  
time of his said grandfa-  
ther, nor in the time of his  
other progenitors, and wil-  
ling therefore to avoid such  
novelties, for the great quiet  
and surety of his people, by  
the assent of the lords and com-  
mons of the same parliament,  
will and granteth, and hath  
ordained and established, That  
the said words and terms shall  
not be from henceforth used,  
nor put in indictments, ar-  
raignments, appeals, or any o-  
ther impeachments; (2) nor  
that by force of any such  
word or term, any clerk reli-  
gious or secular, nor any other  
of the King's liege people,  
shall be from henceforth ar-  
raigned, appealed, impeached,  
or grieved before any secular  
judge; (3) but our lord the  
King doth will, that the jus-  
tices may take and receive be-  
fore them indictments, ar-  
raignments, and appeals of fe-  
lonies, containing in them the  
effect of the said words and  
terms, if any person of such  
felonies shall hereafter be in-  
dicted, arraigned, or appealed.

(4) And if percase it chance in  
time to come, any clerks, reli-  
gious or secular, shall be in-  
dicted, arraigned, or appealed,  
and their indictments, arraign-  
ments, or appeals do compre-  
hend the effect of the said  
words *Insidiatores viarum*, and  
*depopulatores agrorum*, or other  
words purporting the like ef-  
fect; yet nevertheless such  
privilege of holy church, and  
shall

Clerks shall be  
allowed their  
clergy not-  
withstanding  
an indictment  
hath the  
words afore-  
said.

Hobart, 282.

shall be delivered to the ordinaries them demanding, or their deputies, without any impeachment, or any delay.

## C A P. III.

*A confirmation of the liberties of the church and clergy. A clerk convicted for treason, or being a common thief, shall not make his purgation.*

Ex edit. Pult.  
The liberties of the church and clergy confirmed.

**I**TEM, By the same assent our lord the King doth will and grant, and hath ordained and established, That all the statutes, ordinances and grants, made or granted by his noble progenitors or predecessors Kings of *England*, to the clergy of *England*, for the conservation of their liberties and privileges, and for the conservation of the liberties and immunities of holy church not revoked, be firmly holden, observed and kept, and put in due execution according to their form and effect: (2) And thereupon the archbishop of *Canterbury* for himself, and for all other bishops of his province, hath promised to our said lord the King, That if from henceforth any clerk secular or religious, that is convicted of treason that toucheth not the King himself, nor his royal majesty, or that he be a common thief, and for such notoriously holden and reputed, and for the same cause as clerk convicted shall be from henceforth delivered to any ordinary: that the same ordinary shall keep him safely and surely, and according to the effect of a constitution provincial to be made by the said archbishop and other bishops, according to the content, form, and effect of the letters of *Simon* late archbishop of *Canterbury*, bearing date the twelfth kalends of *March*, the year of grace, one thousand three hundred fifty one, ordaining and inserting in the same constitution certain pains by them to be limited by their discretion. (3) And that no such clerk convicted of such treason, or that he be a common thief, as afore is said, after he be delivered, shall make any purgation contrary to the purport of the said constitution: (4) which constitution shall be shewed to our said lord the King before this next parliament, to the intent that if it seemeth to his high discretion, that the said constitution shall not be a convenient remedy in this case, that then it may be treated and provided of other remedy in such sort as appertaineth.

23 H. 8. c. 1.

32 H. 8. c. 1.  
Hob. 288.

A clerk convicted for treason, or being a common thief, shall not make his purgation.

## C A P. IV.

*The King will grant no lands, &c. but to such as shall deserve them. The punishment of those who shall make any demand without desert.*

Ex edit. Raft.  
Gifts and grants.

**I**TEM, Whereas before this time many gifts and grants have been made to divers persons, as well of the revenues of the right of the crown of *England*, as of wards, marriages, lands and tenements, and other divers commodities, without good deliberation thereof had, as the said commons have shewed to our sovereign lord the King in the parliament: the same our sovereign lord the King, willing thereof to provide remedy, hath declared, That his intent is to refrain to make any such gifts or grants, saving only to such persons which the

same

same deserve, and as best shall seem to the King and his council. And sith it is the desire of all the estates of the realm, that nothing should be so demanded of the same our sovereign lord the King, he will, that all those that make any such demands of him, contrary to this statute, shall be punished by the advice of him, and of his council, and that he that maketh such demand, shall never have the thing so demanded.

## CAP. V.

*Every sheriff shall in person continue in his bailiwick, and shall not let it.*

**I**TEM ordeignez est & assentuz qe chescun viscont dEngleterre soit demurrant en propre persone deinz sa baillie pur le temps qil ferra tiel officer & qil ne lessé sa dite baillie a ferme a nully par le temps qil occupiera cel office. Et qa ce faire soit tiel viscont jurrez de temps en temps en speciale entre les autres articles comprises en le serement de viscont.

**I**TEM, it is ordained and assented, That every sheriff of *England* shall abide in proper person within his bailiwick, for the time that he shall be such officer; (2) and that he shall not let the said bailiwick to farm to any man, for the time that he occupieth such office; (3) and that the said sheriff be sworn from time to time to do the same in special, amongst other articles com-

Every sheriff shall in person continue in his bailiwick and shall not let it to ferm.

23 H.6.c.10.

## CAP. VI.

*A seal of lead shall be provided to seal cloths wrought in London and the suburbs.*

**I**TEM, whergas before this time, to avoid the deceit which hath been used in cloths sold in London, under the name and colour of cloths made in London and the suburbs of the same, there was ordained a seal of lead for to seal such cloths made in the said city and suburbs, till now of late, that for the singular profit of certain persons, the seal of lead hath been excluded, to the great damage of the people, and great slander to the city and suburbs: our said sovereign lord the King, by the advice and assent aforesaid, to obvient such subtlety and deceit hath ordained and established: That one sufficient man shall be assigned by the same our sovereign lord the King to seal the said cloths, which shall be wrought, woven, and fulled in the said city, and the suburbs of the same, with a seal of lead, as in old times was used in the same city and suburbs, and that no such cloth so wrought, woven, and fulled within the same city and suburbs, be in any wise sold or bargained, nor set to seal, unless it be sealed with a seal of lead, as before is said. And the same our sovereign lord the King shall have the forfeiture of the cloths sold contrary to this statute, if any be.

Ex edit. Rast. Cloths. London. Seal.

Rep. by 5 & 6 E.d.6. c.6. sect. 39.

## CAP. VII.

*The disseisee shall have an assise against the disseisor taking the profits.*

1 Co. 123.

**I**TEM, *Whereas in the statute made the first year of King RICHARD II. it was ordained, That where several persons did disseise other of their freehold, and made feoffment to divers people, as well to have maintenance, as also to make the disseisees to be ignorant, against whom they ought to take their writ; (2) that the disseisees in such case might take their writ against them which thereof shall take the profits, so that the disseisees commence their suit within the year next after the disseisin; (3) and the same ordinance should hold place in every other action or plea where such feoffments be made by fraud or collusion, to have their recovery against such feoffors, if they thereof take the profits: (4) our said lord the King thinking the said statute to be very mischiefous and prejudicial to his people, because of the shortness of the time, by the assent of the said lords, and at the request of the commons aforesaid, hath ordained and stablished, That such disseisees shall have their action against the first disseisor, during the life of the same disseisor, so that such disseisor thereof take the profits at the time of the suit commenced. (5) And as to other writs in plea of land, the demandant shall commence his suit within the year against him which is tenant of the freehold at the time of the action accrued to him, so that such tenant thereof take the profits at the time of such suit commenced, notwithstanding the said statute.*

Explained by  
1 H. 6. c. 3.

The disseisee shall have an assise against the disseisor taking the profits during the disseisor's life.

1 H. 7. c. 1.  
4 H. 7. c. 24.

**I**TEM come en lestatut fait lan primer le Roy RICHARD Second ordeigneiz estoit que la ou diverses gentz disseisient autres de leur frank tenement & fount feffement as diverses gentz pur maintenance avoir sibien come pur faire les disseisez avoir mesconissance vers queux eux duissent leur brief prendre que les disseisez en tiel cas puissent leur brief prendre vers ceux qi ent preignent les profitz parissint que les disseisis comencent leurs suites deinz lan profchein apres le disseisyn & que mesme lordinance tiegne lieu en chescun autre action en plee ou tieux feffementz sont faitz par fraude ou collusion davoir leur recoverer vers tieux feffours si eux ent preignent les profitz nostre dit seignur le Roy entendant le dit estatut estre molt meschevous & damageous a son peuple a cause de briefte de temps de lassent des ditz seignurs & a la request des communes susditz ad ordeigneiz & establiz que tielx disseisiz aient leur action devers le primer disseisour durante la vie mesme la disseisour parensi que tiel disseisour ent preigne les profitz au temps de la suyte comencee. Et quant as autres briefs en plee de terre comence le demandant sa seute deinz lan devers celuy qest tenant de frank tenement a temps de l'acion a luy accrue parensi que tiel tenant ent preigne les profitz a temps de tiele seute comence non obstant lestatut avaunt dit.

CAP.

## CAP. VIII.

*In what cases a special assise is maintainable against a disseisor with force.*

**I**TEM por ce qe de jour en autre les grantz perones de oialme font forcibles entrees en autry terres & les possessours ent oustent enclaymant aucun foitz en leur droit demesne la ou leur entree nest ny congeable & aucun foitz en autry droit la ou ils nont biens en reversion en droit nemesne ne il nad null affinite ne cosinage entre eux & ceux en qi droit ils ount entree & auxi leur biens & chateaux preignent en manere de roberie issint sovent foitz ils sont en tel manere oustez & de leur biens & chateaux despoilliez qils nount rienz pur leur droit poursuivre & issint par tieux forcibles entrees & maintenance les terre tenantz & possessours sont toutoutrement desheriteez & destruitez nostre dit seignur le Roi veullant faire ovel droit as touz ses lieges sibien greindres come meindres & qe ses loies soient duement executz a la grevouise complainte des ditz communes & de ladvis & assent des toutz les seignurs suifditz pur punir & chastier tielx rioties & forcibles entrees ensi faitz & affairs en temps avenir encontre les loyes de la terre ad ordeignez & establiz qe si aucun homme grant ou petit de quell estat ou condition qil soit face aucun tiel forcible entree en son droit demesne ou a son oeps propre ou en autry droit ou autry oeps par voie de maintenance ou aucuns biens apres tiel forcible entree de les possessours de franc tenement preigne ou emporte qe si la partie grevee

ou

**I**TEM, *Because daily the great persons of the realm do make forcible entries into other men's lands, and put out the possessors of the same, claiming sometime in their own right where their entry is not lawful, and sometime in another's right, where they have nothing in reversion, in right, nor in demean, nor is there any affinity or consinage betwixt them and those in whose right they have entered, and also take their goods and chattels in manner of robbery, so that oftentimes they be in such manner put out, and of their goods and chattels spoiled, that they have nothing to pursue for their right, and so by such forcible entries and maintenance, the land-tenants and possessors be utterly disherited and undone; (2) our lord the King, willing to do equal right to all his liege people, as well the small as the great, and that his laws be duly executed, at the grievous complaint of the said commons, and by the advice and assent of all the lords aforesaid, for to punish and chastise such riots and forcible entries so made, and hereafter to be made, against the laws of the land, hath ordained and established, That if any man, great or small, of what estate or condition that he be, make any such forcible entry in his own right, or to his own use, or in another's right to another's use, by way of maintenance, or take or carry away any goods after such forcible entry from the possessor of the freehold, That if the party grieved, or other law-*

*In what cases a special assise is maintainable against a disseisor with force.*

law-



lawful man will make affiance in his name, that the entry was made in such forcible manner, that the chancellor of *England* for the time being shall have power, by his discretion, to grant a special assise in this case to the party grieved, of whatsoever value the tenements be, without suing to the King. (3) And if such disseisor be attainted of such disseisin made in such forcible manner he shall have one year's imprisonment, and yield to the party grieved his double damages; (4) and if he be convicted by the same assise, that he hath taken or carried away any goods or chattels of such disseises, the justices of assise shall have power to hear and determine, as well for our lord the King, as for the party, of the goods and chattels so carried away, and to award to the party grieved his damages; (5) and that in every such special assise be named one of the justices of the one bench or of the other, or the chief baron of the exchequer, if he be a man of the law. (6) And that hereafter no writ of *Superseatas* be granted to the contrary of such special assises.

ou autre loial homme voet zifier en son noun qe lentre feust fait en tiel forcible manere qe le chancellor d'Engleterre pur le temps esteant a poair par sa discretion de grantier speciale assise en ce cas la partie grevee de qeconge value qe les tenementz soient sanz suir au Roy. Et si tiel disseifour soit atteint del disseifine faite en tiel forcible manere qil eit la prisone dun an & rende al partie grevee ses damages a double. Et sil soit conviët par mesme lassise qil ait pris ou emporte aucuns biens ou chateux de tieux disseifiz qe les justices de mesme lassise eient poair doier & terminer sibien pur nostre seigneur le Roy come pur la partie des biens & chateux issint emportez & de agarder al partie grevee ses damages. Et qe en chescune tiele assise speciale soit nomez un des justices de lun bank ou de lautre ou le chief baron de leschequer sil soit homme de loye. Et qe en temps advenir nul brief de Superseatas soit grantez a contraire de tiele assise speciale.

The penalty for carrying away the disseisee's goods or chattels.

5 R. 2. stat. 1.  
c. 8.  
15 R. 2. c. 2.  
8 H. 6. c. 9.  
31 El. c. 11.  
21 Jac. 1. c. 15.

### CAP. IX.

*A remedy to discharge commissioners distrained to return commissions.*

**I**TEM, *Because that many commissions be made in the chancery, directed to divers persons of the realm, some time to inquire and certify, some time to inquire, hear and determine, and sometime to seise lands and tenements, goods and chattels, which commissions never came to the hands of the said commissioners, whereupon writs issued out of the exche-*

**I**TEM por ce qe pleasures commissions sont faitz en la chancellerie directes as diverses persones du roialme aucun foits pur enquer & certifier ascun foitz denquere oier & terminer & ascun foitz de seiser terres tenementz biens & chateux les quelles commissions unques navientront as mains des ditz commissioners sur

sur quoy briefs issent del eschequer nostre seigneur le Roy pur destreindre les ditz commissiouners lour executors heirs & terres tenantz ascun foitz de rendre les estretes fines issues & amerciamentz qapertient a nostre dit seigneur le Roy. par cause des ditz commissiounes ascun foitz de certifier ceo qest trove devaunt eux par enquest & ascun foitz dacompter de certains choses contenuz es ditz commissiounes a graunt damage & disease des plusieurs liges nostre dit seigneur le Roy mesme nostre seigneur le Roy pur ease & quiete de son poeple veullant en ce cas purvoir de remede de lassent avauudit voet & ad ordeignez & establiz qe le chancellor dEngleterre pur le temps estant use son poair come il ad fait devaunt ces heures en ce cas. Et es autres cases ait mesme le chancellor poair par auctoritee du parlement appelez a luy tielx justices come luy pierra ou le chief baron de leschequer sil emboisignera de purvoir de remede de temps en temps selonc leur discretion.

*chequer of our lord the King to distrain such commissioners, their executors, heirs, and land-tenants, sometime to yield the estreats of the fines, issues, and amerciaments, which pertain to our lord the King because of the said commissions, sometime to certify that which is found before them by inquest, and sometime to account of certain things contained in the said commissions, to the great damage and disquietness of many of the King's liege people: (2) The same our lord the King, for the ease and quietness of his people, willing in this case to provide remedy, by the assent aforesaid, doth will, and hath ordained and stablished, That the chancellor of England for the time being shall use his power, as he hath done before this time in this case; (3) and in other cases, the same chancellor shall have power by authority of parliament (calling to him such justices as shall please him, or the chief baron of the exchequer, if need be) to provide remedy from time to time by their discretion.*

A remedy to discharge commissioners distrained to return commissions which never came to their hands.

7 H.4.C.11.

### C A P. X.

*The third part of the silver brought to the bullion, shall be coined in halfpence and farthings.*

**I**TEM, for the great scarcity that is at this present within the realm of England, of halfpence and farthings of silver: (2) it is ordained and stablished, That the third part of all the money of silver which shall be brought to the bullion, shall be made in halfpence and farthings; (3) and that of this third part the one half be made in halfpence, and the other half in farthings, and the same to do and perform the coiner shall be sworn in special. (4) And that no goldsmith nor other person, whatsoever he be, cause to be molten any such halfpence or farthings, upon pain to pay to the King the quatreble of that which so shall be molten against the form of this statute.

Ex edit Palt. The third part of the silver which shall be brought to the bullion, shall be coined in halfpence and farthings. None shall melt halfpence or farthings.

## CAP. XI.

*Commissions shall be awarded to justices, &c. to enquire of wears, kidels, &c.*

25 Ed. 3. Stat. 4.  
c. 4.

45 Ed. 3. c. 2.  
1 H. 4. c. 12.

Commissions shall be awarded to justices and others to inquire of wears, &c. and to punish offenders.

Every justice shall have four shillings a day for every day that he doth travel.

**I**TEM, *Because that by wears, stakes, and kidels, being in the water of Thames, and of other great rivers through the realm, the common passage of ships and boats is disturbed, and much people perished, and also the young fry of fish destroyed, and against reason wasted and given to swine to eat, contrary to the pleasure of God, and to the great damage of the King and his people;* (2) the same our lord the King intending to provide a due remedy for the same mischiefs, by the advice and assent of the lords aforesaid, and at the request of the said commons, doth will and grant, That the statutes thereof made be holden and kept, and put in due execution; (3) joining to the same, That commissions be awarded to certain justices and others, in every county of the realm where need shall be, to inquire of all that which is contained in the said statutes, (4) and to punish the offenders of the same statutes by fine, according to their discretion. Saved always and reserved to the King our lord, the penalties comprised in especial in the said statutes; (5) and that the estreats of such fines be delivered by the said justices to the sheriff of every county by indenture, (6) and that the said sheriff pay of the issues and profits rising of the said estreats to every of the said justices, for every day that he shall travel to execute the said commission, four shillings, and that the said sheriffs have thereof due allowance from

**I**TEM porce que par les gors estakes & kidelx esteantz en leawe de Thamyse & es autres grandes rivières parmy le roialme commune passage de niefz & bateaux est desbourbez & pleuseurs gentz periz & auxin le joefne pesson destruyte & encontre reson degastez & donez as porcs a mangier encontre la pleisance de Dieu & a grant damage du Roy & de son peuple mesme nostre seigneur le Roy veullant mettre due remede sur les meschiefs avautditz de ladvis & assent des seignurs susditz & a la priere des ditz communes voet & grante que les estatutz ent faitz soient tenuz & gardez & mys in due execution adjoustez a ycelles que commissions soient faitz as certains justices & autres chescun countee du roialme ou besoigne serra denquerre de tout ce qest contentuz en le ditz estatutz & de punir les contrariantz mesmes les estatutz par fyn selonc leur discretions. Sauvez & reservez au Roy nostre seigneur les peines comprifez en especiale es ditz estatutz & que les extretes des tielx fyns soient livrezz par le ditz justices as viscontz en chescun countee par indenture Et que les ditz viscontz paient des issues & profitz sourdantz des ditz extretes a chescun des ditz justices pur chescun jour quil travaillera pur exercer la dite commission iiii s. & que les ditz viscountz ent aient due allowance de temps en temps en lechequer.

## CAP. XII.

*In appropriations of benefices provision shall be made for the poor and the vicar.*

**I**TEM ordeignez est & establiz qe lestatut de l'appropriation des esglises & de lendowment des vicairs en ycelles fait lan quinzisme le Roy RICHARD Second soit fermement tenuz & gardez & mys en due execution Et si ascune esglise soit approprie par licence du dit Roy RICHARD ou de Roy nostre seigneur qorest puis le dit an xvme contre le forme du dit estatut qe ce soit dument reformez selonc leffect de mesme lestatut parentre cy & la fest de pasqe profchein advenir. Et si tiele reformation ne ce face deins le temps susdit qe les appropriation & licence ent faitz soient voidez & de tout repellez & adnulliez pur toutz jours forspris lesglise de Hadenham en le diocis dEly la quele pur eschuire plusieurs damages discordes & debates qont este devant ces heures parentre levesqe dEly & lerceadeaken dEly sur l'exercise de lour jurisdiction come y feust overtement declarez par mesme levesqe en presence de Roy & de seignurs en parlement nadgairs par licence du Roy nostre seigneur feust appropriez a lerceadeaken dEly & ses successeurs pur y faire divines services hospitalite tenir & autres charges supporter come asfert. Et outre ceo ordeignez est & establiz qe toutes les vicaries uniz annexez ou appropriez & les licences ent cues puis primer lan le dit Roy RICHARD combien qe ceux qont uniz annexez ou appropriez tieux vicaries soient en possession de mesmes les vicaries

**I**TEM, it is ordained, That the statute of appropriation of churches, and of the endowment of vicars in the same, made the fifteenth year of King RICHARD the Second, be firmly holden and kept; and put in due execution; and if any church be appropriated by licence of the said King RICHARD, or of our lord the King that now is, sithence the said fifteenth year against the form of the said statute, the same shall be duly reformed according to the effect of the same statute, betwixt this and the feast of *Easter* next coming. (2) And if such reformation be not made within the time aforesaid, that the appropriation and licence thereof be made void, and utterly repealed and adnullied for ever; (3) except the church of *Hadenham* in the diocese of *Ely*, which for to eschew divers damages, discords, and debates, that have been before this time betwixt the bishop of *Ely* and the archdeacon of *Ely*, upon the exercise of their jurisdiction (as it was openly declared by the same bishop in presence of the King, and of the lords in parliament) was of late appropriated, by the licence of the King our lord, to the archdeacon and his successors, to do divine service, keep hospitality, and to support other charges as pertaineth. (4) Moreover it is ordained and stablished, That all the vicarages united, annexed, or appropriated, and the licences thereof had after the first year of the

A confirmation of the stat. of 15 R. 2. c. 6. touching the appropriation of churches. Cro. Jac. 516.

The church of *Hadenham*, in the diocese of *Ely*, appropriated to the archdeacon of *Ely*.

All appropriations of vicarages made since the first year of R. 2. shall be void. Plowd. 495.

A vicar endowed shall be a secular man, and not a religious.

said King RICHARD, how well soever that they which have united, annexed, or appropriated such vicarages be in possession of the same vicarages, or by the virtue of such licences may in any wise be in possession of the same in any time to come, they shall be also utterly void, revoked, repealed, adnulled, and disappropried for ever; (5) and that from henceforth in every church so appropriated, or to be appropriated, a secular person be ordained vicar perpetual, canonically institute and induct in the same, and covenantly endowed by the discretion of the ordinary, to do divine service, and to inform the people, and to keep hospitality there, except the church of *Hadenham* aforesaid; (6) and that no religious be in any wise made vicar in any church so appropriated, or to be appropriated by any means in time to come.

ries ou par vertue des dites licences purront ascunement estre en possession dicelles en ascun temps advenir soient auxint detout voidez revokez repelles adnullez & disappropriiez pur toutz jours & qe desore enavaunt en chescune esglise ensi appropriie ou appropriere une seculere persone soit ordeigne vikair perpetuel institut & induct canonikement en ycelle & covenablement endowez par la discretion del ordenair pur faire divine service & ensourmer le poeple & hospitalitee tenir illoeqes forpris lesglise de *Hadenham* suifsdite. Et qe nul religious ascunement soit fait vicair en ascune esglise ensi approprie ou appropriere par nulle voie en temps advenir.

### C A P. XIII.

*A confirmation of the statutes of 1 EDW. 3. stat. 2. c. 5. 18 EDW. 3. stat. 2. c. 7. and 25 EDW. 3. stat. 5. c. 8. touching service in war.*

The statute of the 1 Ed. 3. stat. 2. c. 5. 18 Ed. 3. stat. 2. c. 7. and 25 Ed. 3. stat. 5. c. 8. touching men charged to go into the King's service in wars, confirmed.

**I**TEM, it is ordained and established, That the statute made the first year of King EDWARD, grandfather to our lord the King that now is, containing, That none shall be constrained to go out of their counties, but only for cause of necessity of sudden coming of strange enemies into the realm; (2) and the statute made the eighteenth year of the said grandfather, That men of arms, hoblars, and archers chosen to go in the King's service out of *England*, shall be at the King's wages from the day they do depart out of the counties where they were chosen; (3) and also the statute made

**I**TEM ordeignez est & establiz qe lestatut fait lan premiere le Roy EDWARD ail nostre seignur le Roy qorest contenant qe nuls soient distreinz daler hors de leur countees finoun pur cause de necessitee de sodeigne venue desfranges esneimys en roialme & lestatut fait lan disoetisme du dit aiel qe gentz darmes hobelers & archiers esluz pur aler en le service du Roy hors dEngleterre soient as gages le Roy du jour qils departiront hors des countees ou ils fueront esluz & auxint lestatut fait lan vint & quint le dit aiel qe nul homme soit arte de trover gentz darmes hobelers narchiers autres qe ceux

ceux qi tiegnent par tiel service fil ne soit par commune assent & grante faite en parlement soient fermement tenuz & gardez en toutz pointz parainfi toutes voies qe par forte ou colour de la dite supplication ne dascun estatut sur ceo affaire les seignurs nautres qi ont terres & possessions en pais de Gales ou en le marche dicell ne soient en ascun manere excusez de lour service & devoirs de leurs dites terres & possessions dues ne dascuns autres devoirs ou choses a les quelles ils ou ascuns de eux sont a nostre dit seignur le Roy especialment obligez combien qe yceux seignurs & autres aient autres terres & possessions dedeinz le roialme d'Engleterre ne qe les seignurs ou autres de quel estat ou condition qils soient qi tiegnent par escuage ou autre service due au Roy ascuns terres ou possessions dedeinz le dit roialme ne soient ascunement excusez de faire les services & devoirs des ditz terres ou possessions dues ne qe les seignurs chivalers esquiers nautres perones de quel estat ou condition qils soient qi tiegnent & ont de la grant ou confirmation de nostre dit seignur le Roy terre possessions fees annuitees empensions ou autres profitz annuels ne soient nascun de eux soit excusez de lour service affaire a nostre dit seignur le Roy par tiel manere come ils sont tenuz par cause des terres possessions fees annuitees empensions ou profitz sutfditz.

made the twenty-fifth year of the said grandfather, That no man be compelled to find men of arms, hoblers, nor archers, other than those which do hold by such service, unless it be by common assent and grant made in the parliament, shall be firmly holden and kept in all points; (4) so that always by force or colour of the said supplication, nor of any other statute thereupon to be made, the lords, nor any other that have lands and possessions in the country of *Wales*, or in the marches thereof, shall in no wise be excused of their service and devoirs due of their said lands and possessions, nor of any other devoirs or things whereto they or any of them be bound to our lord the King; though that the same lords and other have other lands and possessions within the realm of *England*; (5) nor that the lords, or others, of what estate or condition that they be, which hold by escuage or other service due to the King, any lands or possessions within the said realm, be in no wise excused to do their services and devoirs due of their said lands or possessions; (6) nor that the lords, knights, esquires, nor other persons, of what estate or condition they be, which hold and have of the grant or confirmation of our lord the King, lands, possessions, fees, annuities, pensions, or other yearly profits, be not excused to do their service to our lord the King in such manner as they are bounden because of

All men that hold of the King to do any service in war, shall do the same.

the lands, possessions, fees, annuities, pensions, or profits a-foreaid. 12 CAR. 2. C. 24.

## C A P. XIV.

*A labourer shall not be retained to work by the week.*

Ex edit. Raft.  
Labourers.  
Carpenter.  
Maſon.  
Tiler.  
Plaiſterer.

**I**TEM, it is ordained and eſtabliſhed, That no labourer be retained to work by the week, nor that no labourers, carpenters, maſons, tilers, plaiſterers, daubers, coverers of houſes, nor none other labourers ſhall take any hire for the holy-days, nor for the evens of feaſts, where they do not labour but till the hour of noon, but only for the half day, upon the pain that ſuch labourer, carpenter, maſon, tiler, plaiſterer, dauber, coverer of houſes, or any other labourer that taketh contrary to this ſtatute, ſhall pay to the King for every time that he ſo doth the contrary, xx s.

Rep. 5 Eliz.  
c. 4.

## C A P. XV.

*Merchants ſhall beſtow their money received upon other merchandiſes of this realm.*

Merchants  
ſhall beſtow  
their money  
received, upon  
the merchand-  
iſe of this  
realm.

**I**TEM, it is ordained and eſtabliſhed, That all the merchants, ſtrangers, and denizens, which bring merchandiſes into this realm of *England*, and the ſame do ſell within the realm, and receive *Engliſh* money for the ſame, that they ſhall beſtow the ſame money upon other merchandiſes of *England*, for to carry the ſame out of the realm of *England*, without carrying any gold or ſilver in coin, plate, or maſs, out of the ſaid realm, upon pain of forfeiture of the ſame, ſaving always their reaſonable coſts.

5 H. 4. c. 9.  
27 H. 6. c. 3.  
17 Ed. 4. c. 1.  
3 H. 7. c. 2.

**I**TEM ordeignez eſt & eſtabliz qe toutz les marchantz aliens eſtranges & denzeins qameſnent merchandiſes en Engleterre & les vendent deinz le roialme & la monioie d'Engleterre pur ycelles receivent qils mettent meſme la monioie ſur autres merchandiſes d'Engleterre pur les ameſner hors du roialme d'Engleterre ſanz emporter aucun or ou argent en coigne plate ou maſſe hors du dit roialme ſur peine de forfaiture dicell ſauvez toutes foitz leur coſtages reaſonables.

## C A P. XVI. \*

*No perſon ſhall carry gold or ſilver out of the realm without the King's licence.*

Ex edit. Raft.  
Money.  
Gold.  
Silver.  
Plate.  
9 Ed. 3. ſtat.  
2. c. 1.  
5 R. 2. ſtat. 1.  
c. 2.  
2 H. 6. c. 6.

**I**TEM, *Whereas in divers ordinances and ſtatutes made before this time, it was ordained and eſtabliſhed, That no man, of what eſtate or condition he be, ſhall bring no money, nor do to be brought gold nor ſilver in money, plate nor veſſel out of the realm of England, without ſpecial licence of our ſovereign lord the King: and becauſe the ſame ſtatutes and ordinances be very profitable and available for him, and for all his realm, if they were put in due execution, the ſame our ſovereign lord the King, by the advice and aſſent of the lords aforeſaid, and at the eſpecial prayer of the ſaid commons, hath ordained and eſtabliſhed,*

That

\* This chapter is miſplaced in the printed editions, and upon the roll follows c. 34.

That the said ordinances and statutes be holden and kept, and put in due execution. And if any person of what estate or condition that he be, bring or send, or do to be brought or sent, gold or silver in money, vessel or plate, out of the said ream, without the King's especial licence, except for his reasonable expences, as aforesaid. And he that can espy the same, upon a full and lawful certification thereof to be made to the barons of the exchequer of our sovereign lord the King, shall have the third part of such thing so espied for his travail, *to endure to the next parliament.*

## C A P. XVII.

*Infants are not to be received into the order of friars without the consent of their parents, &c.*

**I**TEM, it is ordained and established, That no friar of the four orders, that is to say Friar Minors, Augustines, Preachers, and Carmelites, from henceforth shall take nor receive any infant into their said order, unless he be entered into the age of xiiii. years, without the assent of his father and mother, or other his next friends of blood, or other his friends or tutors, in whose ward or custody such infant shall be continually conversant and abiding. And that no such friar of none of the said orders, bring, embezzle, nor eloigne, nor do to be brought, embezzled, nor cloigned by himself nor by none other, such infant, out of the place where he shall be so first taken or received, to any other place, by an whole year next ensuing such taking or receipt into the said order. And if any such infant be so taken, received, or withholden against the will of his said father and mother, or of his other friends or tutors aforesaid, or if he be brought, imbezzled or eloigned from the place where he shall be so first taken or received, to any other place, and the same fathers or mothers, or other his friends or tutors aforesaid, have made request to the master provincial, warden or prior of the same order, in the place where the said infant is or shall be so taken, received, or withholden, and they will not make delivery of the same infant to his said father or mother, or other his friends and tutors aforesaid: the same father or mother, or other friends or tutors aforesaid, shall sue to the chancellor of *England* for the time being, and the same chancellor shall have power by authority of parliament, to send for the ministers or provincials of the said four orders, warden or prior of the place where such infant shall so be taken, received, or withholden from time to time, and them to punish after the discretion of the said chancellor, and according as the case requireth in this behalf. And to the intent that this statute and ordinance shall hold place for ever, friar *John Zouch*, minister of the order of the friars Minors in *England*: friar *William Pikeworth*, provincial of the order of the friars Preachers in *England*: friar *William de Wellie*, provincial of the order of the friars Augustines in *England*: friar *Stephen of Paddington*, provincial of the order of friars Carmelites in *England*, being in their proper persons before the King, and

Friars,

Chancellor.



the lords spiritual and temporal, and the commons of the realm in the full parliament, laying their right hands on their breasts, made an oath, and promised in the same parliament, to hold, keep, observe, and perform the statute and ordinance aforesaid, for them and their successors for ever.

## CAP. XVIII.

*The punishment of an attorney found in default.*

What sort of men shall be attorneys.  
4 Inst. 76.  
2 Geo. 2. c. 23.

**I**TEM, for sundry damages and mischiefs that have ensued before this time to divers persons of the realm by a great number of attorneys, ignorant and not learned in the law, as they were wont to be before this time; (2) it is ordained and stablished, That all the attorneys shall be examined by the justices, and by their discretions their names put in the roll, and they that be good and virtuous, and of good fame, shall be received and sworn well and truly to serve in their offices, and especially that they make no suit in a foreign county; and the other attorneys shall be put out by the discretion of the said justices; (3) and that their masters, for whom they were attorneys, be warned to take others in their places so that in the mean time no damage nor prejudice come to their said masters. (4) And if any of the said attorneys do die, or do cease, the justices for the time being by their discretion shall make another in his place, which is a virtuous man and learned, and sworn in the same manner as afore is said; (5) and if any such attorney be hereafter notoriously found in any default of record, or otherwise, he shall forswear the court, and never after be received to make any suit in any court of the King. (6) And that this ordinance be holden in the exchequer after the discretion of the treasurer and of the barons there.

The punishment of an attorney found greatly in fault.

**I**TEM pur plusieurs damages & meschiefs qont advenuz devaunt ces heures as diverses gentz du roialme par le grant nombre des attournees nient sachantz nprises de la loye come ils soloient estre pardevant ordeignez est & establiz qe touz les attournees soient examinez par les justices & par leur discretions leur nouns mys en rolle & ceux qi sont bons & vertuoues & de bone fame soient receux & jurrez de bien & loialment servir en leur offices & en especial qils ne facent nulle suyte en foreine countee & soient les autres attournees oustrez par la discretion des ditz justices & qe leur mestres ove queux ils furent attournees soient garniz de prendre autres en leur lieux parentsi qen le mesme temps damage ne prejudice adviegne a leur ditz mestres. Et si aucun des ditz attourneez devie ou cesse qe les justices pur le temps esteantz par leur discretions facent autre en son lieu qi soit homme vertuous & sachant & jurrez en mesme le manere come dessus. Et si aucun tiel attournee soit notoirement trevez en default de record ou autrement en temps advenir qil forsuire la courte & qe jammais il ne soit rescue a nulle suite faire en aucune courte de Roy & qe mesme ceste ordinance soit tenuz en leschequer selonc la discretion del tresorer & des barons illoeqes.

## CAP. XIX.

*No officer of a lord of a franchise shall be attorney in the same.*

**I**TEM ordeignez est & establisz qe nul seneschall bailif ne ministre des seignurs des franchises qont retourne du brief soit attornee en nul plee deinz la franchise ou baillie dont il est ou serra tiel officer ou ministre en aucun temps advenir.

**I**TEM it is ordained, That no steward, bailiff, nor minister of lords of franchises, which have return of writs, be attorney in any plea within the franchise or bailiwick whereof he is or shall be officer or minister, in any time to come.

No officer of a lord of a franchise shall be attorney within the same.

## CAP. XX.

*Customers, controllers, &c. shall abide upon their office, and make no deputies; and every customer shall be sworn to answer the King all profits.*

**I**TEM ordeignez est & establisz qe lestatut fait lan premier le Roy nostre seigneur qorest de ce qe les customers & controllours en chescun port dEngleterre demoergent sur leur offices en leur propres personnes sanz aucun deutee ou lieutenant faire en leur nouns soit fermement tenuz & gardez en toutz pointz adjoustez a ycel qe a ce faire ils soient jurrez de temps en temps sur peine demprisonement de paier au Roy C li. sils facent le contraire. Et auxint accordez est & assentuz qe le lieutenant du chief botiller du Roy & le sercheour soient residentz en mesme la manere & sur mesme la peine de C li. a paiere lun moitee a nostre seigneur le Roy & lautre moitee a celui qui voet fuir pur mesme nostre seigneur le Roy devers tieux customers controllours lieutenant ou sercheour nient residentz. Et qe chescun customer deore enavaunt sur son accompt rendre en leschequer soit jurrez par son serement de respondre loialment a mesme nostre seigneur le Roy sanz fraude ou male engine des toutz maners

**I**TEM it is ordained and established, That the statute made in the first year of our lord the King that now is, That customers and controllers in every port of *England* shall abide upon their offices in their proper persons, without making any deputy or lieutenant in their names, be firmly holden and kept in all points; (2) joined to the same, That they shall be sworn to do the same from time to time upon pain of imprisonment, and to pay to the King an C l. if they do contrary. (3) Also it is accorded and assented, That the lieutenant of the King's chief butler, and the searcher, shall be resident in the same manner, and upon the same pain of an C l. to pay the one half to our lord the King, and the other half to him that will sue for the same against such customers, controllers, lieutenant, or searcher, not resident; (4) and that every customer from henceforth, upon the yielding of his account in the exchequer, be sworn by his oath to answer lawfully to the same lord the King,

1 H. 4. c. 13.

Customers and controllers shall continue upon their offices and be sworn thereunto.

13 H. 4. c. 5.

The lieutenant of the King's butler and searcher shall continue upon their offices.

5 H. 6. c. 3.

Every customer shall be sworn upon the yielding of his account.

Merchandise shall be charged and discharged in ports, and not in creeks.  
 11 H. 6. c. 15.  
 1 El. c. 11. § 8.

King, without fraud or deceit, of all manner of profits and commodities for the payment of any assignment, be it by tail, or in any other manner whatsoever. (5) And that all manner merchandises entering in the realm of *England*, or going out of the same, shall be charged and discharged in the great ports of the sea, and not in creeks and small arrivalls, upon pain to forfeit all the merchandises so charged or discharged to our lord the King, except vessels or merchandises arriving in such little creeks and arrivalls by cohercion of Tempest of the sea.

maners profitz & commoditees pur paiement dascun assignement soit il par taille ou autrement par lui ou aucun autre rescueuz ou a resciveurs pur achate dascun taille ou en autre manere queconque. Et de tous maneres des merchandises entrantz en la roialme d'Engleterre ou issantz dicell soient chargez & deschargez en les grantz portz du mier & devey en crykes & petitz arrivails sur peine des toutes les merchandises issint chargez ou deschargez a nostre seignur le Roy faire forspris vesseux ou merchandises appliantz en tierz petitz crykes & arrivails par cohercion de la tempeste de mier.

### C A P. XXI.

*Searchers shall not let any their offices to ferm, or occupy them by deputy.*

12 H. 4. c. 5.  
 Searchers shall not let their offices to ferm, nor occupy them by deputy.

**I**TEM, it is ordained and established, That the searchers in every port of *England* shall be charged and sworn, that they shall not let to ferm their offices of searching, nor occupy the same by a deputy; (2) and that from henceforth they take of no masters of ships for their office of searching, any silver or money for their welcome and farewell, nor any other thing for the same, as it hath been taken and received before this time, otherwise than shall be ordained to them for their office by our lord the King; (3) and that no searcher be host to any merchant or mariner. (4) And in case that any searcher do contrary to this statute, and that duly proved, the same searcher shall be put out of his office for ever, and make fine and ransom at the King's will.

**I**TEM ordeignez est & establi que les sercheours en chescun port d'Engleterre soient chargez & jurrez quils ne lessent a ferme leur office de sercheie ne les occupient par deputees et quils ne preignent desore enavant de nulles mestres des niefs de leur office de sercheie faire nul argent ne monnoie par leur bienvenuz & bienales ne nul autre chose pur ycell come il ad este pris & levez devant ces heures autrement que ne sera ordeignez a eux pur leur office par nostre seignur le Roy. Et que nul sercheour soit host a nul marchand ne maryner. Et en cas qascun sercheour face le contraire de cest estatut & ce decontrair provee soit mesme le sercheour ouste de son office pur toutz jours & face fyn & rancon a la volentee du Roy.

*This Chapter follows Cap. XVI. on the roll.*

## CAP. XXII.

*The remedy where by the King's presentation any Incumbent is put forth.*

**I**TEM come ordeigne soit par estatut fait lan vint & quint le dit Roy EDWARD aiel nostre dit seigneur le Roy qe si le Roy ferra collation ou presentement a nulle benefice en autri droit qe le tittle sur qi il se fondera serroit bien examine qil serroit verrai & a quel heure qe avant jugement rendu le tittle soit trove par bone enformation nient verroi ne joust soit la collation ou presentement ent faitz repellez & anientez. Et enoutre soit ordeigne & establi en estatut fait apres en temps du Roy RICHARD qe si le Roy presente a ascun benefice qi soit plein dascun incumbent qe le presentee le Roy ne soit resceu par lordinarie tanqe le Roy eit recoverez son presentement par proces de ley en sa courte demesne & si aucune presentee du Roy soit autrement resceu & le incumbent ouste sanz due proces come desuis est dit commence le dit incumbent sa fuyte deinz un an apres la induction de presentee du Roy nostre seigneur le Roy considerant le grant meschief du dit incumbent celle partie ad ordeigne & establiz de l'assent avauntdit qe si aucun tiel incumbent soit ouste de son benefice sanz processe en la manere suisdite qe le dit incumbent issint ouste sanz processe puisse estre a large & fuir remedie par le dit estatut & comencer sa dite seute en ce cas a quel temps qe luy plerra deinz lan ou apres a sa volentez & ce sibien pur temps passe come pur temps advenir nient con-

**I**TEM, *Whereas it is ordained by the statute made the twenty-fifth year of King EDWARD, grandfather to our lord the King, that if the King make collation or presentment to any benefice in another's right, that the tittle whereupon he groundeth him should be well examined that it be true; (2) and at what time, before judgment given, the tittle be found by good information untrue and unjust, the collation or presentment thereof made, shall be repealed and adnulled. (3) And moreover, in a statute made after in the time of King RICHARD, it was ordained and established, That if the King present to any benefice that is full of any incumbent, that the King's presentee shall not be received by the ordinary, till the King hath recovered his presentment by process of the law in his own court; (4) and if any presentee of the King be otherwise received, and the incumbent put out without due process, as afore is said, the same incumbent shall commence his suit within a year after the induction of the presentee: (5) our lord the King considering the great mischief of the incumbent in this behalf, hath ordained and established, by the assent aforesaid, That if any such incumbent be put out of his benefice without due process in the manner aforesaid, that the said incumbent so put out without process, may be at large, and sue for his remedy by the said statute, and begin his suit in this case at what time shall please him, within the year, or after, at his will;*

<sup>25</sup>Ed. 3. stat. 3.  
c. 3.

<sup>13</sup>R. 2. stat. 1.  
c. 1.  
<sup>1</sup>Mod. 279.

will; and that as well for the time past, as for the time to come, notwithstanding the term so limited by the said statute. *contresteaunt le dit terme ensi limite par le dit estatut.*

## C A P. XXIII.

*Judgments given shall continue until they shall be reversed by attaint or error.*

Dyer, 315, 321, 376.

Cro. Jac. 335, 343.  
3 Bullstr. 42, 47, 115.

Judgments given in the King's courts shall continue until they are reversed by attaint or error:

12 Co. 64.  
Dr. and Stud. c. 18.

**I**TEM, *Where as well in plea real as in plea personal, after judgment given in the courts of our lord the King, the parties be made to come upon grievous pain, sometime before the King himself, sometime before the King's council, and sometimes to the parliament, to answer there of new, to the great impoverishing of the parties aforesaid, and in the subversion of the common law of the land; (2) it is ordained and stablished, That after judgment given in the courts of our lord the King, the parties and their heirs shall be thereof in peace, until the judgment be undone by attaint or by error, if there be error, as hath been used by the laws in the times of the King's progenitors.*

*This Chapter follows Cap. XXI. on the Roll.*

## C A P. XXIV.

*Aulnage of cloths may be let to ferm by improvement.*

Ex edit. Pult.  
The aulnage may be let to ferm or improved.

Dy. 303.  
17R. 2. c. 2.  
31 H. 6. c. 5.  
11W. 3. c. 20.

**I**TEM, whereas late in the time of King *Richard* the Second it was ordained by a statute, that the aulnage of cloths through the realm should not be set to ferm, to the great damage of the King yearly: it is ordained and accorded in the said parliament, That the said aulnage may be set to ferm by improvement according to the discretion of the treasurer of *England* for the time being, and of the barons of the exchequer, notwithstanding the said statute made to the contrary.

## C A P. XXV.

*An hostler shall not make horse-bread. How much he may take for oats.*

Cro. Jac. 609.  
The penalty on an hostler which offendeth contrary to the stat. of

**I**TEM, it is ordained and stablished, That the statute of victuals and hostlers, and other sellers of victuals, made the xiii. year of the said King *Richard*, be holden and kept and put in due execution, and if any hostler do to the contrary, and that duly proved, the same hostler shall from time to time incur the

penalty of the treble value of the bread made by him in his house or elsewhere contrary to the said statute: and also the same hostler shall incur the quatreble value of that which he hath taken over an halfpeny of every bushel of oats above the common price in the market, and that as well at the suit of the King as of the party.\*

13 R. 2. stat. 1. c. 8.  
How much an hostler may gain by a bushel of oats.  
22 H. 8. c. 41.  
\* So much of

this statute as concerns the execution of the stat. of 13 R. 2. stat. 1. c. 8. relating to horse bread is repealed by 21 Jac. 1. c. 28.

## CAP. XXVI.

*Englishmen shall not be convicted by Welshmen in Wales.*

**I**TEM, it is ordained and stablished, That no *Englishman* liege to our sovereign lord the King, be convict of any *Welshman* within franchise or without in any county, hundred, or court within the land of *Wales*, of whatsoever estate, but by *Englishmen* and of the next venue, and people of good fame and not procured, nor that the *English* burgeses, which have marryed *Welshwomen*, have franchises with the *English* burgeses.

Ex edit. Raft.  
Welshmen.  
Wales.  
Rep. 21. Jac. 1. c. 28.

## CAP. XXVII.

*There shall be no wasters, vagabonds, &c. in Wales.*

**I**TEM, to eschew many diseases and mischiefs, which have happened before this time in the land of *Wales*, by many wasters, rhymers, minstrels, and other vagabonds: it is ordained and stablished, That no waster, rhymers, minstrel, nor vagabond be in any wise sustained in the land of *Wales*, to make com-morthies or gathering upon the common people there.

Wales.  
Altered by  
26 H. 8. c. 6.  
27 H. 8. c. 26.

## CAP. XXVIII.

*There shall be no congregations in Wales.*

**I**TEM, it is ordained and stablished, That no congregations be made nor suffered to be made by the *Welshmen* in any place of *Wales*, for to make or take any counsel, unless it be for an evident and necessary cause, and by licence of the chief officers and ministers of the same seigniory, where such thing shall be done, and in the presence of the same officers and ministers, upon pain of imprisonment and to make fine and ransom at the King's will.

Congregation.  
Wales.  
Rep. 21. Jac. 1. c. 28.

## CAP. XXIX.

*Welshmen shall not be armed.*

**I**TEM, it is ordained and established, That from henceforth no man be armed nor bear defensible armour to merchant towns churches nor congregations in the same, nor in the high ways, in affray of the peace or the King's liege people, upon pain of imprisonment, and to make fine and ransom at the King's will, except those which be lawful liege people to our sovereign lord the King.

Armour.  
Altered  
26 H. 8. c. 6.  
27 H. 8. c. 26.

## CAP. XXX.

*No victual or armour shall be carried into Wales.*

Victual.  
Armour.  
Wales.

**I**TEM, it is ordained and stablished, That no *Englishman* nor *Welshman* of what estate or condition that he be, send or bring by colour of merchandise or otherway, any victual or armour to any parts of *Wales*, without the special licence of our sovereign lord the King or of his council, unless it be for stuffing or entoring of castles and *English* towns, upon pain of forfeiture of the same victuals and armour, and that in every part of the marches of *Wales* and towns of the marches, there be *English* constables for to enquire, search, and arrest all such victuals and armour, and the same constables for their travel shall have the sixth part of such forfeitures so by them found.

Rep. 21. Jac. 1.  
c. 28.

## CAP. XXXI.

*A Welshman shall not have any house of defence.*

Welshmen.

**I**TEM, it is ordained, and established, That no *Welshman* shall have castle, fortrefs, nor house defensive of his own nor of other to keep, otherwise than was used in the time of King *Edward* conqueror of *Wales*, upon pain of forfeiture of the same. Except bishops and other temporal lords for their own bodies.

Rep. 21. Jac. 1.  
c. 28.

## CAP. XXXII.

*No Welshman shall be an officer.*

Welshmen.

**I**TEM, it is ordained, That no *Welshman* be made justice, chamberlain, chancellor, treasurer, sheriff, steward, constable of castle, receiver, eschetour, coroner, nor chief forester nor other officer, nor keeper of the records, nor lieutenant in any of the said offices in no part of *Wales*, nor of the council of any *English* lord, notwithstanding any patent made to the contrary with this clause (non obstante quod sit Wallicus natus) except bishops in *Wales*, and of those and other whom the King our sovereign lord hath found his good and lawful liege people be will to be advised by his council.

Wales.

Rep. 21. Jac. 1.  
c. 28.

## CAP. XXXIII.

*Castles and walled towns in Wales shall be kept by Englishmen.*

Wales.

**I**TEM, for the more sufficient custody of the land of *Wales*, and to the intent that a man may have the better knowledge of the condition of the people there: it is ordained and stablished, That the garrisons of the castles and walled towns there, be purveyed and stored sufficiently of valiant *English* persons strangers to the seigniories where the said castles be set, and not of any man mixt of the said parties or seigniories in *Wales*, or the marches of the same, till the said land of *Wales* be otherwise justified and appealed for the time to come.

Rep. 21. Jac. 1.  
c. 28.

## C A P. XXXIV.

*No English Man that marrieth a Welsh Woman shall be in any office in Wales.*

**I**TEM, it is ordained and stablished, That no *Englishman* married to any *Welshwoman* of the amity or alliance of *Owen ap Gleindour*, traitor to our sovereign lord, or to any other *Welshwoman* after the rebellion of the said *Owen*, or in that time to come marrieth himself to any *Welshwoman*, be put in any office in *Wales* or in the marches of the same. Welshwoman.  
Wales.  
Rep. 21. Jac. 1.  
c. 28.

## C A P. XXXV.

*Shoemakers and cordwainers may tan leather, notwithstanding the statute of 13 RICH. II. stat. 2. c. 12.*

**I**TEM, whereas in the statute made the thirteenth year of King *Richard* the Second amongst other things it was ordained, That no shoemaker, nor cordwainer, should use the mystery of tanner, and that he which did contrary, should forfeit all the leather so tanned, and all the boots so wrought, and moreover to be ransomed at the King's will. And because that our sovereign lord the King hath perceived, that there is great damage and deceit diversly by colour of the said statute, as by the petition of the commons delivered to him in the same parliament it may appear: the same our sovereign lord the King, by the advice and assent of the said lords, and at the prayer of the same commons, will and hath ordained, That the shoemakers and cordwainers may tan leather as they have used in time past, notwithstanding any statute made to the contrary, so that the leather, which shall be hereafter tanned, as well by the tanners as by the shoemakers and cordwainers afore said, be assayed and marked with a mark of iron thereto to be limited by the mayor or bailiffs, constable or chief wardens, of the town where such leather shall be wrought, or by any their deputy, to do the same by his oath, before that such leather be sold or set to sale, or set to any workmanship. And if any leather be sold or set to sale, or set to any workmanship against the form afore said, that then it shall be forfeit to the King. And that this statute be put in assay and hold place till the next parliament. Shoemaker.  
Cordwainer.  
  
Rep. 5 Eliz.  
c. 8. & 1 Jac. 1.  
c. 22.

**Statutes made at Westminster, Anno 5 HEN. IV.  
and Anno Dom. 1403.**

**P**UR remedier & recoverir pleuseurs mescheifs damages & grevances monstrez a nostre souveraigne seignur le Roy en son parlement tenuz a Westm' lendemaigne de seint Hiller lan de son regne quint mesme nostre

**F**OR to remedy and redress divers mischiefs, damages, and grievances, shewed to our lord the King in his parliament holden at Westminster the morrow after St. Hillary, the fifth year of his reign; the same our lord the King, by



*by the advice and assent of his lords spiritual and temporal, and at the request of his commons of his realm of England, come to the same parliament, hath ordained and stablished divers statutes and ordinances in the form as followeth.*

*tre seigneur le Roi de ladvis & assent des seignurs espirituelx & temporelx & a la request des communes de son roialme d'Engleterre venuz a dit parlement ad ordeignez & establiz diverses estatutz & ordinances en la fourme qenseute.*

## CAP. I.

*Lands assigned to certain traitors to the use of others shall not be forfeited to the King.*

Ex edit. Raft.

**F**IRST that none of the manors, lands, or tenements, whereof Sir Henry Percy, or Sir Thomas Percy earl of Worcester, or other traitors, which were at the battle of *Shrewsbury* against our sovereign lord the King and their liegeance, were seised, or any of them were seised jointly with other or only by themselves, of the feoffment of other to another's use, or for the great trust that people which them did enfeof, had to them to do and perform their will, and whereof they were not enfeofed to be inherit, but to perform the will of their feoffors in any parcel of the same manors, lands, or tenements, how well that such feoffments be made by fine or otherwise, without shewing a deed proving the condition, shall be in any wise forfeit to our sovereign lord the King. And if any gifts or grants be made by our said sovereign lord the King of the said manors, lands, or tenements, or any parcel of the same, or otherwise: that such gifts or grants be wholly void for ever and of no value, and that our sovereign lord the King have the forfeiture of the lands and tenements of the said Sir Henry and Sir Thomas, and of the other traitors aforesaid, which they or any of them were was by themselves or severally inheritable by descent or by rightful purchase, or whereof other were enfeofed jointly with them, or other only to their use by fine or any other manner, whatsoever it were.

7H.4. c.5.

## CAP. II.

*The penalty of him which procureth pardon for an approver that committeth felony again.*

**I**TEM, because that divers common and notorious felons be indicted of divers felonies, murders, and rapes in divers countries, and upon the same, as well before the King's justices, as before the King himself, arraigned of the same felonies, and for safeguard of their lives they become provers, to such intent, that in the mean time by brocage, grants, and gifts to be made to divers persons to pursue

**I**TEM porce qe plusieurs communes & notoires larons sont enditez des diverses felonies murders & rapes es diverses paiis & sur ycelles auxibien devant les justices nostre seigneur le Roy come devant le Roy mesmes & arettez des mesmes les felonies & pur salvation de leur vies ils deveignent provours a tiel entent qen le mesme temps par brocage & grauntz douns

douns faire as diverses gentz de purfuir & avoir lour chartres & puis apres lour deliverance ils deveignent plus fortz notoires larons quilz ne feurent pardevant ordeignez est & establiz qe si aucune persone de quel estat ou condition qil soit homme ou femme prie ou purfue ou face prier ou purfuir desore enavant pur aucun tiel laron issint atteint par son conissance demesme pur aucune chartre de pardon avoir qe le noun de celuy ou cele qi purfue tiel chartre soit mys en mesme la chartre faisant mention qe mesme la chartre est grante a son instance et si celuy a qi tiel chartre est grante apres sa deliverance devient laron qe celuy qensu purfua pur sa chartre encourage la peyne de cent liveres a lever al oeps nostre dit seigneur le Roy.

*sue and have their charters, and then after their deliverance they become more notorious felons than they were before; (2) it is ordained and stablished, That if any person, of what estate or condition that he be, man or woman, pray or pursue, or cause to be prayed or pursued from henceforth, for any such felon so attained by his own confession, to have any charter of pardon, that the name of him or her that pursueth such charter be put in the same charter making mention that the same charter is granted at his or her instance; (3) and if he to whom such charter is granted, after his deliverance cometh a felon again, that the same person which did so pursue for his charter, shall incur the pain of an C. li. to be levied to the King's use.*

The penalty of him who doth procure pardon for an approver that committeth felony again.

### C A P. III.

*Watches shall be made upon the coasts as they were wont to be.*

**I**TEM ordeignez est & establiz qe les agaites affaires sur le cost du mier partout le roialme soient faitz par nombre des gentz es lieux & en fourme & manere come ils soleient estre faitz en temps passe & qen ce cas lestatut de Wyncestre soit tenuz & gardez & qen les commissions de la paix desore affaires soit mys cest article Et qe les justices de la paix aient poair dent faire inquisition en lour session de temps en temps & de punir ceux qi sont trevez en default solonc le tenure du dit estatut.

**I**TEM it is ordained and stablished, That the watch to be made upon the sea-coast through the realm shall be made by the number of the people, in the places, and in manner and form, as they were wont to be made in times past, and that in the same case the statute of *Winchester* be observed and kept; (2) and that in the commissions of the peace hereafter to be made this article be put in, That the justices of peace have power thereof to make enquiry in their sessions from time to time, and to punish them which be found in default after the tenor of the said statute.

13 Ed. 1. stat. 2.  
c. 4.  
Cro. Eliz. 204.  
Watches shall be made upon the sea-coast as they had wont to be.

## CAP. IV.

*It shall be felony to use the craft of multiplication of gold or silver.*

3 Inst. 74.  
Rep. by 1 W.  
& M. St. 1. c. 30.

**I**TEM it is ordained and stablished, That none from henceforth shall use to multiply gold or silver, nor use the craft of multiplication; and if any the same do, and be thereof attain'd, that he incur the pain of felony in this case.

## CAP. V.

*It shall be felony to cut out the tongue, or pull out the eyes of the King's liege people.*

Kelyng, 65.

**I**TEM, because that many offenders do daily beat, wound, imprison, and maim divers of the King's liege people, and after purposefully cut their tongues, or put out their eyes; (2) it is ordained and stablished, That in such case the offenders that so cut tongues, or put out the eyes of any the King's liege people, and that duly proved and found, that such deed was done of malice presented, they shall incur the pain of felony.

Cutting of  
tongues.  
Putting out of  
eyes felony.

22 & 23 Car. 2.  
c. 1.

**I**TEM porce qe plusieurs malfaisours de jour en autre batent naufrent emprisonent & maheymnt plusieurs des liges nostre seignur le Roy et puis de purpos coupent leur langues ou oustent leur oils ordeignez est & establez qen tiel cas les malfaisours qensi couperont les langues ou ousteront les oils d'aucuns des liges nostre dit seignur le Roi & ceo duement trovez & provez qe tiel fait fust fait de malice purpense encourgent la peine de felonie.

## CAP. VI.

*The penalty for making an assault upon any servant of any knight in parliament.*

11 H. 6. c. 11.

**I**TEM, because that Richard Chedder, esquire, which was come to this parliament with Thomas Broke knight, one of the knights chosen to the same parliament for the county of Somerset, and menial servant with the said Thomas, was horribly beaten, wounded, blemished, and maimed by one John Salage, otherwise called John Savage; (2) it is ordained and stablished, That seeing the same horrible deed was done within the time of the said parliament, that proclamation be made where the same horrible deed was done; That the said John appear and yield him in the King's bench within a quarter of a year after

The penalty of him who maketh assault upon the servant of any knight or burgess of the parliament.

**I**TEM porce qe Richard Chedde esquier qi feust venuz a cest present parlement ovesqe Thomas Brook chivaler un des chivalers esluz a mesme le parlement pur le countee de Somers' & meynal ove le dit Thomas feust horriblement batuz naufrez emblemiz & maheymiz par Johan Salage autrement appelez Johan Savage ordeignez est & establiz qe par tant qe le dit horrible fait feust fait deinz le temps du dit parlement qe proclamation soit fait la ou mesme le horrible fait se fist qe la dit Johan appierge & soy rende en bank le Roy deinz un quarter dun an apres la proclamation faite et fil ne le face  
foit

soit mesme celuy Johan atteint de la fait suifdit & paie au partie endamagee ses damages a double a taxer par discretion des juges du dit bank pur le temps esteantz ou par enquest fil emboisigne & face fyn & raceon a la volente du Roy. Et outre ce accordez est en dit parlement qe semblablement soit fait en temps avenir en cas semblable.

the proclamation made; (3) and if he do not, the same *John* shall be attainted of the said deed, and pay to the party grieved his double damages, to be taxed by the discretion of the judges of the said bench for the time being, or by inquest, if need be, (4) and also he shall make fine and ransom at the King's will. (5) Moreover it is accorded in the same parliament, that likewise it be done in time to come in like case.

CAP. VII.

*Merchant strangers shall be used in this realm, as denizens be in others.*

**I**TEM ordeignez est & establiz qe toutz les marchantz aliens de quell estat ou condition qils soient venantz demurrantz ou repairantz deinz le roialme dEngleterre soient traitez & demesnez deinz mesme le roialme en manere forme & condition come les marchantz deinzains sont ou serront traitez & demesnez es parties depar delea sur peine de forsfaire au Roi toutz les biens & chateux des ditz marchantz aliens & sur peine demprisonement des corps demesmes les marchantz aliens.

**I**TEM, it is ordained and established, That all the merchants strangers, of what estate or condition that they be, coming, dwelling, or repairing within the realm of *England*, shall be entreated or demeaned within the same realm in the manner, form, and condition, as the merchants denizens be, or shall be entreated or demeaned in the parts beyond the sea, (2) upon pain to forfeit to the King all the goods and chattels of such merchants strangers, (3) and upon pain of imprisonment of the bodies of such merchants strangers.

Merchants strangers shall be used in this realm as merchants denizens be in other realms.

9 H. 3. stat. 1. c. 10.  
9 Ed. 3. stat. 1. c. 1.  
25 Ed. 3. stat. 4. c. 2.  
2 R. 2. stat. 1. c. 1.  
11 R. 2. c. 7.  
4 H. 5. c. 5.

CAP. VIII.

*In what cases the defendant may be allowed to wage his law, or plead to an inquest.*

**I**TEM pur eschuer diverses meschiefs queux ount estez & sont de jour en autre sibiens deinz la citee de Londres come deinz autres citees & aillours deinz le roialme dEngleterre de ceo qe diverses seyntes suytes de dette ount este prises sibiens par gentz des ditz citees come de aillours devers plusieurs gentz surmettantz

**I**TEM, to eschew divers mischiefes which have been and be from day to day, as well within the city of London, as within other cities and other places within the realm of *England*, (2) for that divers feigned suits of debt have been taken, as well by the people of the said cities as of other places, against divers people, surmising to

them by their said suit, that they had made accompt before auditors assigned, of divers receipts, duties, and contracts had betwixt them, and that they were found in arrearages upon the same accompt in divers great sums, (3) suggesting by the same suits sometime their apprentices, and sometime other of their servants, to be the auditors, where there was never receipt nor duty betwixt such parties, and where the said apprentices nor servants did any thing know of such accompt, to the intent to cause them, against whom such suits were taken, to put them in inquest in the same suits, and to put them from the waging of their law in such case; (4) by reason whereof, by such favourable inquests taken thereupon of the neighbours of those which have prosecuted such suits, divers have been condemned in great sums, to the great impoverishing and undoing of them; (5) it is ordained and established, That the justices in the King's courts, and other judges, before whom such suits and actions in all such cases in cities and boroughs shall be sued and taken, shall have power to examine the attorneys, and others whom please them, and thereupon to receive the defendants to their law, or to try the same by inquest, after the discretion of the justices and judges aforesaid.

Dyer, 145.

Keilw. 82 b.  
In what cases the judges may allow the defendant to wage his law, or to plead to an inquest.

surmettantz a eux par leur suite qils duissent avoir accomptes devaunt auditours assignez de diverses rescites duetes & contractz parentre eux eues & qils feurent trovez en arrearages sur mesme lacompt en diverses grandes sommes surmettantz par mesmes les suites aucun foitz leur apprentices & aucun foitz autres de leur servantz estre les auditours la au il navoit unques aucun rescite ne duetee parentre tielx parties & la ou les ditz apprentices ne servantz riens ne savoient de tiel accompt al entent pur faire eux devers queux tielx suites furent prises de eux mettre en enqueste en mesmes les suytes & de eux oustier de la gagier de leur ley en tiel cas par ont pleuseurs parties favorables enquestes sur ceo prises de les veifyns de ceux qi ount prises tielx suites ount este condempnez en plusieurs grandes sommes en graunt arrerissement & destruction de eux ordeignez est & establiz que les justices en les courtes du Roy & autres juges devant queux tielx suites & actions seront en toutz tielx cases en citees & burghs & rises & fuiz eient poair dexaminer les attournees & autres queux leur semblera et sur ceo de recevoir les defendantz a leur loie ou de le trier par enqueste selonc les discretions des justices & juges avaunt ditz.

## CAP. IX.

*Merchants aliens shall employ their money upon the commodities of this realm.*

In part repealed by 6 H. 4. c. 4.  
4 H. 4. c. 15.  
27 H. 6. c. 3.  
4 Ed. 4. c. 6.  
17 Ed. 4. c. 1.  
3 H. 7. c. 8.

**I**TEM, for the better keeping of gold and silver within the realm of England, and for the increase of the commodities of the said realm, (2) it is ordained and established, That the statutes there-

**I**TEM pur meultz garder or & argent deinz le roialme d Engleterre & pur lencecre de les commoditees du dit roialme ordeignez est & establiz que les estatutz ont faitz au darrein parlemant

lement soient tenuz & gardez & mys en due execution ajoutant a ycelles qe les custumers & countrerollours nostre seigneur le Roi es toutz les portz d'Engleterre preignent suffisente seurte pur toutz maners de merchandises amesnez par les marchantz aliens & estranges venantz & repairantz es ditz portz ou fyn qe la monoie prise pur les ditz merchandises sera emploiez sur les commoditees du roialme sauvent leur custages raisonnables come en le dit estatut est contenuz plus au plein. Et outre ceo ordeignez est & establiz qe les ditz marchantz aliens & estranges vendent leur ditz merchandises ensy apportez deinz le dit roialme deinz un quartere dun an prochein apres leur venue en ycell et auxi qe la monoie qe sera delivertz par eschaunge en Engleterre soit emploiez sur commoditees de mesme le roialme deinz icell roialme sur peyne de forfaiture dicelle monoie. Et qe null marchand alien ne strange vende null manere de merchandises a autre marchand alien ou estrange sur peyne de forfaiture de mesme la merchandise. Et auxi ordeignez est & establiz qe chescun citee ville & port du meer d'Engleterre ou, les ditz marchantz aliens & estranges sont ou seront repairantz soient assignez a mesmes les marchantz sufficientz hostes par le maires viscontz ou baillifs de ditz citees villes & portz du meer & qe les ditz marchantz alienz & estranges ne soient demurrantz en autre lieu sinon ovesqe les ditz hostes ensy a assigners et qe mesmes les hostes ensy assigners preignent pur leur tra-

vaill

thereof made at the last parliament, shall be continued and kept, and put in due execution; (3) joined to the same, That Merchants the custumers and controllers of our lord the King, in all the ports of *England*, shall take sufficient sureties for all manner of merchandises brought by the merchants aliens and strangers, coming and repairing to the said ports, to the intent that the money taken for the said merchandise shall be employed upon the commodities of the realm, saving their reasonable cost, as in the same statute more fully is contained. (4) And moreover it is ordained and established, That the said merchants aliens and strangers shall sell their said merchandises so brought within the said realm, within a quarter of a year next after their coming into the same; and also that the money, which shall be delivered by exchange in *England*, be employed upon the commodities of the realm, within the same realm, upon pain of forfeiture of the same money. (5) And that no merchant alien nor stranger sell any manner of merchandise to any other merchant alien or stranger, upon pain of forfeiture of the same merchandise. (6) And also it is ordained and established, That in every city, town, and port of the sea in *England*, where the said merchants aliens or strangers be, or shall be repairing, sufficient hosts shall be assigned to the same merchants, by the mayor, sheriffs, or bailiffs of the said cities, towns, and ports of the sea; (7) and that the said merchants aliens and strangers shall dwell in no other place, but

strangers shall put in sureties to employ their money upon the commodities of this realm.

Within what time merchants aliens shall sell their merchandise.

One alien shall sell no merchandise to another alien.

18 H. 6. c. 4. Hosts shall be appointed to merchants aliens.

with their said hosts so to be assigned; and that the same hosts, so to be assigned, shall take for their travel in the manner as was accustomed in old time.

vaill en manere come feust accoustumez en auncien temps.

4 H. 5. c. 5.  
4 Ed. 4. c. 6.

## CAP. X.

*Justices of peace shall imprison none but in the common gaol.*

9 Co. 119.  
Cro. El. 329.

**I**TEM, because that divers constables of castles within the realm of England be assigned to be justices of peace by commission of our lord the King, and by colour of the said commissions they take people, to whom they bear evil will, and imprison them within the said castles, till they have made fine and ransom with the said constables for their deliverance; (2) it is ordained and established, That none be imprisoned by any justice of the peace, but only in the common gaol; saving to lords and other (which have gaols) their franchise in this case.

Justices of  
peace shall im-  
prison none  
but in the  
common gaol.

**I**TEM pur ceo qe diverses constables des chastelx deinz le roialme d'Engleterre font assignez par commissions nostre seignur le Roi justices de la pees & par colour des ditz commissions preignent gentz as queux ils font malveullantz & les emprisonont deinz les ditz chastelx tanqils eient fait fyn & rauceon oue les ditz constables pur lour deliverance avoir ordeignez est & establiz qe nully soit emprisonnez par ascuns justices de la pees sinon en commune gaole savant as seignurs & autres qont gaoles leur franchises en ce cas.

## CAP. XI.

*The fermors of aliens shall pay their tithes to the parson of the same parishes.*

The fermors  
of aliens shall  
pay tithes to  
the parsons  
and vicars of  
the same pa-  
rishes.

**I**TEM, it is ordained and established, That the fermors, and all manner of occupiers of the manors, lands, tenements, and other possessions of aliens, shall pay and be bound to pay, all manner of *Dismes* thereof due to parsons and vicars of holy church, in whose parishes the same manors, lands, tenements, and possessions be so assessed and due, as the law of holy church requireth, notwithstanding that the said manors, lands, tenements, or other possessions be seized into the King's hands, or notwithstanding any prohibition made or to be made to the contrary.

Regist. 179. b.

**I**TEM ordeignez est & establiz qe les fermours & occupiours quelconques des manoirs terres tenementz & autres possessions des aliens paient & soient tenuz de paier toutz maners des dismes ent dues as parsons & vicairs de seinte esglise es quelx paroches mesmes les manoirs terres tenementz ou possessions sont issint assiz & dues come la loye de seinte esglise demande nient contrestant qe les ditz manoirs terres tenementz au autres possessions sont sefiz es mayns nostre dit seignur le Roy & non obstante aucune prohibition faite ou afaire a contraire.

## C A P. XII.

*Execution may be awarded upon a statute once shewed in court.*

**I**TEM ordeignez est & establi z que quant aucun estatut marchand soit certifie en la chancellerie & sur ceo brief agarde al viscont & retourne en le commune bank & lestatut illoques un foitz monstre que combien que le processe apres celle demonstrance soit discontinue qa quele heure que la partie sue de recontinuer le processe & d'avoir execution del estatut marchand que les justices del bank en quel lestatut feust un foitz monstrez puissent sur celle record faire & agarder plein execution del estatut marchand avautdit sanz avoir de ceo autrefoitz vieu ou demonstrance en apres et que cest estatut tiegne lieu de toutz estatutz marchantz a cest foitz nient pleinement executz.

**I**TEM, it is ordained and established, That when any statute merchant is certified into the chancery, and thereupon a writ awarded to the sheriff, and returned into the common place, and the statute there once shewed, that howsoever the proces after the same shewing be discontinued, that at what time the party sueth to have the proces recontinued, and to have execution of the statute merchant aforesaid; that the justices of the bench, where the statute was once shewed, may upon the same record make and award full execution of the statute merchant aforesaid, without having the sight or shewing thereof another time after; (2) and that this statute hold place of all statutes merchant, not fully executed at this time.

Execution may be awarded upon a statute once shewed in court.

## C A P. XIII.

*What things may be gilded and laid on with silver or gold, and what not.*

**I**TEM por ce que plusieurs desloialx artificers ymaginantz a deceiver le commune poeple font de jour en autre firmalx anelx bedes chandelers gipserrynges chalices hiltes & pomelx despiees poudersboxes lienes & bursels pur hanapes de cupre & de laton & les suisforront & suisargentent semblables a or & argent & les vendent & mettent a gage as plusieurs hommes nient eiantz pleine conissance de ce pur or entier & argent entier a grant deceit perde & arrerissement de commune poeple & aientissement & destruction dor & d'argent

**I**TEM, whereas many fraudulent artificers, imagining to deceive the common people, do daily make locks, rings, beads, candlesticks, harness for girdles, hilts, chalices, and sword-pomels, powderboxes, and covers for cups, of copper and of latten, and the same overgild and silver like to gold or silver, and the same sell and put in gage to many men, not having full knowledge thereof, for whole gold and whole silver, to the great deceit, loss, and hinderance of the common people, and the wasting of gold and silver; (2) it is ordained and established, That no artifi-

8 H. 5. c. 3.



What things may be gilded and laid on with gold or silver, and what not.

he be, from henceforth shall gild nor silver any such locks, rings, beads, candlesticks, harness for girdles, chalices, hilts, nor pommels of swords, powder-boxes, nor covers for cups, made of copper or latten, upon pain to forfeit to the King C.s. at every time that he shall be found guilty, and to make satisfaction to the party grieved for his damages; (3) but that (chalices always excepted) the said artificers may work, or cause to be wrought, ornaments for the church of copper and latten, and the same gild or silver, so that always in the foot, or in some other part of every such ornament so to be made, the copper and the latten shall be plain, to the intent that a man may see whereof the thing is made, for to eschew the deceit aforesaid.

gent ordeignez est & establi que nul artüicer nautre homme que conque desore enavant suifor ne suifargente nulles tielx firmalx anelx bedes chandelers gipserrynges chalices hiltes ne pommelx des espeies poudreboxes lieues ne bursels pur hana pes faitz de cupre ou de laton sur peine de forfaire au Roi C.s. a chescun foitz qil sera trovez coupable & de faire grece a partie pur les damages mais que chalices touteditz exceptz les ditz artificers purront faire & overer ornementz de seinte esglise de cupre & de laton & les suiforner & suifargenter parainisi toutezfoitz quen la pie ou en autre partie de chescun ornement ensi affaire soit la cupre ou laton plain a fyn que homme purra veier dont la chose est faite pur eschuir la deceit ayaundite.

#### CAP. XIV.

*Inrolling of writs in the common place whereupon fines be levied.*

**I**TEM, *Whereas many fees of fines of lands and tenements within the realm of England remaining in the King's treasury, and the notes of such fines remaining in the common bench, have been before this time embexzled, and other fees and notes of fines falsly countersait and set in their places, by deceit and falshood of some, whereby many people of the realm have been greatly endamaged before this time, and may be disbrised in the time to come;* (2) it is ordained and established, That all the writs of *Covenant*, and all other writs whereupon fines shall be levied in time to come, with the writs of *Dedimus potestatem*, if any be, with all knowledges and notes of the same, before that they be drawn

**I**TEM por ce que plusieurs piés des des fins des terres & tenementz deinz le roialme d'Engleterre demurrantz en le tresore nostre seignur le Roi & les notes de tielx fyns demourantz en le commune bank aient este devant ces heures enbesiles & autres piés & notes de fyns fausement contreovez & mys en lour lieux par deceit & comettement daucuns par ouz pleufours des gentz de roialme ont este grandement endamages avant ces heures & purront estre disbritez en temps advenir ordeignez est & establi que toutz les briefs de *covenant* & toutz autres briefs sur queux fyns ferront levez en temps advenir ovssque les briefs de *Dedimus potestatem* si aucuns y soient

What writs and notes shall be inrolled in the common place whereupon fines are levied.

ent ove toutz les conufances & notes dicelles avant ce qils foient treihiez hors de commune bank par le cirograffer foient enrollez en un rolle deſtre de recorde pur toutz jours a demurrer en la ſauſe garde du chief clerk du commune bank & de ſez ſucceſſours ſoubz launcien fee de vingt & deux deniers accuſtumes a paiers au chief clerk pur l'entree d'accorde de cheſcun fyn ſanz plus outre paier au fyn qe ſi les notes en la garde de cirograffer ou les fyns ſoient embeſilez qe lem a vera recours au dit rolle pur ent avoir execution come il averoit ſi les fynes ne feuffent point embeſilez & qe toutz les briefs de covenantz & toutz autres briefs ſur queux fyns ont eſte levez du temps paſſe ſoient auxi de record & enoutre de toutz les fyns queux ſont ore tarde embeſilez en le treforie noſtre ſeignur le Roi par gentz diſconuz qe los notes & briefs de covenantz des ditz fyns embeſilez demurantz en le garde de cirograffer ſi purront eſtre trovez qe a la partie monſtrant partie des ditz fyns embeſilez tielx notes & briefs de covenantz demoergent de recorde ſi avant come meſmes ceux fyns euſſent eſte ſi nul embiſlement diceux neuft eſte faite.

drawn out of the common bench by the cyrographer, ſhall be inrolled in a roll, to be of record for ever, to remain in the ſafe cuſtody of the chief clerk of the common bench, and of his ſucceſſors, for the old fee of xxii pence, accuſtomed to be paid to the chief clerk, for the entering of the concord of every fine, without paying any more; (3) to the intent that if the notes in the cuſtody of the cyrographer, or the fines, be embezzled, a man may have recourse to the ſaid roll to have execution thereof, as he ſhould have if the fines were not embezzled; (4) and that all the writs of *Covenant*, and all other writs, whereupon fines have been levied in times paſt, ſhall be alſo of record. (5) And moreover, all the fines that were now late embezzled in the treasury of our lord the King by perſons unknown, if the notes and the ſame writs of *Covenant* of ſuch fines embezzled remaining in the cuſtody of the cyrographer may be found, that then to the party ſhewing part of the fines embezzled, ſuch notes and writs of *Covenant* ſhall remain of record as far forth as the ſame fines ſhould have been, if no embezzling thereof had been made.

## CAP. XV.

*The King's pardon of the ſuit of his peace, treaſons, rebellious treſpaſſes, &c. with ſome exceptions.*

ITEM, our ſovereign lord the King of his ſpecial grace, by aſſent Pardon.  
of all the lords ſpiritual and temporal, and at the requeſt of the commons in this preſent parliament aſſembled: hath pardoned to all his liege people and ſubjects of his realm of England, and of the country of Wales, and of the marches of Scotland, the ſuit of the peace that to him pertaineth, againſt them and any of them, for all manner of treaſons, inſurrections, rebellions, and treſpaſſes done and perpetrated before the xiiii. day of January, which was the firſt day of this preſent parliament: *except thoſe that be*

*imprisoned or in ward because of treason, and except murders, rapes of women, counterfeitsers of the King's seal, makers of false money, that be corporally withholden in prison, or let at mainprise or in bail, and also the outlawries, if any of them be pronounced by the same occasion. And also our sovereign lord the King, hath pardoned to all his liege people and subjects of the realm, country and marches aforesaid, and to every of them, which at this present time be adherent to his enemies or rebels, that will come again and obey to their liegeance within forty days next after the proclamation of this foresaid grace and pardon made, the suit of the peace, for all manner of insurrections, rebellions, felonies, trespasses, and misprisions done and perpetrate by them, or any of them, before their yielding or coming into their liegeance. And also the outlawries, if any of them be pronounced by the occasion thereof, so that they of the country of Wales do yield themselves to our sovereign lord the King, or to the prince of Wales, or to the duke of York, or to their lieutenants or deputies. And that they of the marches of Scotland, do yield themselves to our sovereign lord the King, or to John, son to the said King, warden of the east-marches, or to the earl of Westmoreland, warden of the west-marches towards Scotland, or their lieutenants or deputies. Provided always, That William Serle, Thomas Ward of Trumpington, which do pretend and feign himself to be king Richard, shall not have nor enjoy any advantage by this grace and pardon, but that they be expressly excepted out of the said grace and pardon.*

Statutes made at Coventry, Anno 6 HEN. IV. and  
Anno Dom. 1404.

CAP. I.

*The penalty of those which pay to the court of Rome more for the first-fruits of any bishoprick, &c. than had wont to be paid.*

**F**OR the grievous complaints made to our sovereign lord the King by his commons of this parliament, holden at Coventry, the vi. day of October, the vi. year of his reign, of the horrible mischief and damnable custom, which is introduced new in the court of Rome, that no parson, abbot, nor other should have provision of any archbishoprick or bishoprick, which shall be void, till that he hath compounded with the pope's chamber, to pay great and excessive sums of money, as well for the first-fruits of the same archbishoprick or bishoprick, as for other less services in the same court, and that the same sums, or the greater part thereof be paid beforehand, which sums pass the treble or the double at the least, of that that was accustomed of old time to be paid to the said chamber and otherwise, by the occasions of such provisions, whereby a great part of the treasure of this realm

Provision.

hath

hath been brought and carried to the said court, and also shall be in time to come, to the great impoverishing of the archbishops and bishops within the same realm, and elsewhere within the King's dominions, if convenient remedy be not for the same provided: our said sovereign lord the King, to the honour of God, as well to eschew the damage of his realm, as the perils of their souls, which own to be advanced to any archbishops and bishops within the realm of England, and elsewhere within the King's dominions out of the same realm, by the advice and assent of the great men of his realm, in the parliament hath ordained and stablished: That they and every of them that shall pay to the said chamber, or otherwise, for such fruits and services greater sums of money, than hath been accustomed to be paid in old time passed, they and every of them shall incur the pain of the forfeiture of as much as they may forfeit towards the same our sovereign lord the King.

First fruits.

25 H. 8. c. 20.

## CAP. II.

The statute of 1 H. IV. c. 6. touching petitions to be made to the King for lands, offices, &c. shall not extend to the Queen or princes.

ITEM, whereas in the parliament holden at Westminster, in the first year of the reign of our sovereign lord the King that now is, amongst other things it was ordained and stablished, That all those which from that time forth should demand of the King lands, tenements, rents, offices, annuities, or any other profits, should make express mention in their petition of the value of the thing so to be demanded, and also of that that they have had of the King's gift, or of any of his progenitors and predecessors before him, and in case they made not such mention in their said petitions, and that duly proved, the King's letters patents thereof made should not be available, nor of no force nor effect, but wholly revoked, repealed, and annulled for ever, in punishment of those which had done such deceit to the King, as they which shall not be worthy to enjoy the effect and benefit of the King's letters patents to them granted in this behalf: our said sovereign lord the King, by the advice and assent aforesaid, hath ordained and declared in the same parliament, That the Queen nor the King's son, nor none of them be contained in the said statute, nor restrained by the same to demand and receive of the King's gift any lands, tenements, or other possessions, but that they and every of them have, and enjoy all that they or any of them, have of the gift or grant of the King at this present, and that they and every of them may demand and receive of the King's gift or grant hereafter, without being molested or grieved by vertue of the foresaid statute.

Ex edit. Rast.

Petition.

Letters patents.

## CAP. III.

Commissions shall be sent to inquire of the accompt of sheriffs, escheators, &c.

ITEM por ceo qe pleufours des viscountz echetours alnyours custumers countrollers & ITEM, whereas divers of the sheriffs, escheators, aulnegers, customers, comptrollers, and other the

4 Inst. 217.

*the King's officers, accomptable in many parts of the realm, do defraud and deceive our said lord the King yearly in their unlawful and untrue accompt, concealing and receiving to their own use the greater part of that which rightfully ought to pertain to the King, to his great damage and loss;* (2) our said lord the King, by the advice and assent aforesaid, hath ordained, That presently after every final accompt given and made by the officers and customers aforesaid before the barons of the exchequer of our lord the King, the tenour of the accompt of every of the said officers from time to time shall be sent into the counties where the same accomptants be officers, together with commissions directed to the most lawful and discreet persons, to inquire and certify the profits which the said accomptants have received within the said counties, in the name and to the use of our said lord the King, by them in the manner aforesaid upon their said accompts deceitfully concealed and received to their own proper use and profit. (3) And in case that the said accomptants be attainted of their said frauds and deceits, they shall incur to our lord the King the penalty of the treble of the same whereof they shall be so convict, and their bodies to prison, until they have made fine and ransom to our said lord the King, according to the discretion of his judges.

Commissions shall be sent to inquire of the accompt of every sheriff, escheator, accomptant,

& autres officers nostre seigneur le Roy accomptablez en plusieurs parties del roialme defraudent & deceyvent nostre dit seigneur le Roy annuellement sur leur desloiax & nient verroies accomptz conclanz & retenantz a leurs propres oeps la greindre partie de ce que droiturement apertener devoit a nostre seigneur le Roy avaunt dit a son tresgraunt damage & perde nostre dit seigneur le Roi de ladvyz & assent suisditz ad ordeignez que meynテナunt apres chescun final accompt renduz & faitz par les officers & customers avaunt ditz devant les barons de l'exchequer nostre dit seigneur le Roi le tenure de lacompt de chescun des ditz officers de mote en mote soit envoie as countees en les queux les ditz accomptantz estoient officers ensemblement ove commissions directz a les plus loiax & discrettes persones pur enquerer & certifier de les profitz queux les accomptantz avaunt ditz ont receuz deinz les countees suisditz en noun & al oeps nostre dit seigneur le Roi par eux en manere avaunt dit sur leur ditz accomptz a leurs propres oeps & profet deceivablement concelez & retenuz. Et en cas que les ditz accomptantz soient atteintz de leur dit fraudes & desceites qils encourgent a nostre dit seigneur le Roi la peyne de la treble de ce dont ils seront convictz & leur persones a prisonne tanqe ils aient fait fine & rancon a nostre seigneur le Roi avaunt dit solonc la discretion de sez juges.

## CAP. IV.

*Aliens shall not carry forth of the realm merchandises brought in by aliens.*

**I**TEM come en le darrein parlement tenuz a Westm' entre autres choses ordeignez estoit qe les marchantz aliens & estranges venderoient lour merchandises deinz un quartre dun an proschein apres lour venue en ycelle roialme nostre seigneur le Roi veiant la dite ordinance molt damageouse & meschevous sibien pur luy mesmes & son roialme come pur les ditz marchantz aliens & estranges de ladvys & assent suifdites ad ordeinez & establiz qe la dite ordinance soit de tout voide & adnullz pur toutz jours & qe mesmes les marchantz aliens & estranges soient a lour liberale disposition a vendre leur dites merchandises en manere come ils feurent devaunt la faisance du dite ordinance sauvez toutesfoitz les franchises & libertees de la citee de Londres. Et purveux auxi toutesfoitz qe les ditz marchantz aliens & estranges namesnent ne facent amesner aucunement hors du roialme aucunes merchandises amesnez deinz mesme le roialme par les marchantz aliens & estranges avaunt ditz.

**I**TEM, *whereas in the parliament holden at Westminster, amongst other things it was ordained, That the merchants aliens and strangers should sell their merchandises within a quarter of a year next after the coming thereof into the realm; (2) our lord the King seeing the said ordinance hurtful and prejudicial, as well for himself and his realm, as for the said merchants aliens and strangers, by the advice and assent aforesaid, hath ordained and stablished, That the said ordinance be utterly void and adnullz for ever; (3) and that the same merchants aliens and strangers be at their free disposition, to sell their merchandises in the manner as they did before the making of the said ordinance; (4) saving always the franchises and liberties of the city of London. (5) And further provided always, That the said merchants aliens and strangers shall not carry or cause to be carried out of the realm, any merchandises brought within the realm by the merchants aliens and strangers aforesaid.*

A repeal of so much of the statute of 5 H. 4. c. 9. as doth assign merchants aliens to sell their merchandise within a quarter of a year.

Aliens shall not carry forth of the realm merchandises brought in by aliens.

Statutes made at *Westminster, Anno 7 HEN. IV.*  
and *Anno Dom. 1405.*

**N**OSTRE seigneur le Roi a son parlement tenuz a Westm' le primere jour de Marce lan de son regne vijme de ladvis & assent des seignurs espirituelx & temporelx & a la request des communes en mesme

**O**UR lord the King, at his parliament holden at Westminster the first day of March, the seventh year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the commons in the same par-

*parliament, hath ordained and established divers ordinances and statutes in the form as followeth.* me le parlement ad ordeignez & establiz diverses ordinances & estatutz en la forme que seute.

## CAP. I.

*A confirmation of the liberties of the church, and of all cities and persons, &c. and of all statutes not repealed. Peace shall be kept, &c.*

A confirma-  
tion of the  
liberties of the  
church, and of  
all statutes  
not repealed.

**F**IRST, That holy church have all her liberties and franchises; (2) and that all the lords spiritual and temporal, and all the cities, boroughs, and towns franchised, have and enjoy all their liberties and franchises, which they have of the grant of the King's progenitors, and of the confirmation and grant of our lord the King that now is. (3) And that the the Great Charter and the Charter of the Forest, and all the ordinances and statutes made in the time of our lord the King, and in the time of his progenitors, not repealed, be firmly holden and kept, and duly executed in all points. (4) And that the peace within the realm be holden and kept, so that all the King's liege people and subjects may from henceforth safely and peaceably go, come, and abide, according to the laws and usages of the same realm. (5) And that good justice and even right be done to every person; saving to the same our lord the King his regalty and prerogative.

Peace shall be  
maintained,  
and justice  
shall be done  
to all.

1 H. 4. c. 1.

**P**Rimerement que seint esglise eit toutz sez libertees & franchises & que toutz les seignurs espiituels & temporels & toutz les citees burghs & villes enfranchises aient & enjoient toutz les libertees & franchises queux ils ont du graunte des progenitours nostre dit seigneur le Roy & de la confirmation & du graunte mesme nostre seigneur le Roy. Et que la Grande Chartre & la Chartre de la Forest & toutz les ordinances & estatutz faitz en temps nostre dit seigneur le Roy & en temps de ses ditz progenitours nient repellez soient fermement tenuz gardez & dument executz en toutz pointz. Et que la paix deinz le roialme soit tenuz & gardez issint que toutz ses loialx lieges & subgitz mesme nostre seigneur le Roy purront desore sauvement & paisiblement aler venir & demurrer solonc les loyes & usages de mesme le roialme. Et que boné justice & ovel droit soit fait a chescun sauvaunt a mesme nostre seigneur le Roy ses regalie & prerogative.

## CAP. II.

*The realms of England and France intailed to the King and his four sons by name.*

Ex edit. Rast.

**I**TEM, at the request and of the assent of the said lords and commons, in the said parliament, it is ordained and established, That the inheritance of the crown, and of the realms of England and France, and of all the other dominions pertaining to our sovereign lord the King beyond the sea, with all the appurtenances,

be

be set and remain in the person of the same our sovereign lord the King, and in the heirs of his body begotten: and in especial at the request and of the assent aforesaid, it is ordained and established, pronounced, decreed, and declared, That my lord the prince *Henry* eldest son to our sovereign lord the King, be heir apparent to the same our sovereign lord, to succeed him in the said crown, realms, and dominions, to have them with all the appurtenances after the decease of the same our sovereign lord the King, to him and his heirs of his body begotten. And if he die without heir of his body begotten, then all the said crown, realms, and dominions, with all the appurtenances, shall remain to the lord *Thomas*, second son of our said sovereign lord the King, and to the heirs of his body begotten. And if he die without issue of his body, then all the said crown, realms, and dominions, with all the appurtenances, shall remain to the lord *John*, the third son of our said sovereign lord the King, and to the heirs of his body begotten. And if he die without heir of his body begotten, that then all the foresaid crown, realms, and dominions, with all the appurtenances, shall remain to the lord *Humphrey*, the fourth son of our said sovereign lord the King, and to the heirs of his body begotten.

## CAP. III.

*The rolls of estreats shall be made certain.*

**I**TEM pur ce que plusieurs gentz de roialme perdont issues fines & amerciamentz en la court nostre seigneur le Roy a la suyte dascune partie & auxi issues & amerciamentz en enquestes & jures es queux ils sont enpanelles parentre partie & partie en la court avaunt dite sur qoy les baillifs des viscountz & leurs receivours & baillifs des franchises & leurs receivours qui coillent la verte cere levont les issues fines & amerciamentz avaunt ditz par estreates a eux maundes & liverez hors de la place ou ils furent forfaitz par obscures & dotifs parols contenantz la some issint perdue nient fesantz mention par expresse parol de cause de la perde ne del jour del terme nentre quelz parties ne la nature del brief es queux ycelles issues fynes & amerciamentz furent perduz issint qe les ministres avaunt ditz levont la some

**I**TEM, whereas divers people of the realm do lose issues, fines, and amerciaments in the court of our lord the King, at the suit of any party, and also issues and amerciaments in inquests and juries, wherein they be impanelled betwixt party and party in the said court; whereupon the bailiffs of sherriffs and their receivers, and the bailiffs of franchises and their receivers, which gather the green wax, do levy the same issues, fines, and amerciaments by estreats sent to them, and delivered out of the place where they were forfeit, by obscure and ambiguous words, containing the sum so lost, not making mention by express words of the cause of the loss, nor the day of the term, nor betwixt what parties, nor the nature of the writ in which the same issues, fines, and amerciaments were lost, (2) so that the said officers do levy the sum two or three times, and sometime the double sum contained in their

3 Ed. 1. c. 19.



The rolls of  
estreats shall  
be made cer-  
tain.

*their estreats, to the great grief and impoverishing of all the people;* (3) it is ordained and established, That the justices and judges, before whom such issues or amerciements be or shall be forfeit, in time to come shall charge the clerks of the estreats in the places where such issues and amerciements be or shall be forfeit, by their oath to be made, that they make the rolls of the estreats of such issues and amerciements distinctly by express word, of the cause of the loss, of the term, of the year, and the nature of the writ, and betwixt what parties such issues and amerciements be or shall be lost, as well in the King's suit, as in the suit of the party; (4) and that the statute made in the time of King EDWARD the Third, the two and fortieth year of his reign, for gathering of green wax, be holden and kept in all points.

A confirma-  
tion of the sta-  
tute of 42 Ed. 3.  
c. 9. touching  
gathering of  
green wax.

some deux foitz ou trois foitz & aucune foitz la double somme contenue en leurs estretes a grand grevance & empoverissement de tout le poeple ordeignez est & establiz que les justices & jugges devaunt queux issues & amerciementz sont & seront forfaitz en temps advenir charger les clerks des estretes en les places en les queux les issues & amerciementz sont ou seront forfaitz par leur sermentz de faire & qils facent les rolles des estretes des ditz issues & amerciementz distinctement par expresse parol del cause del parde del terme del an & de la nature del brief & parentre queux parties tielx issues & amerciementz sont ou seront perduz sibien en la suite du Roy come en la suite de partie & que lestatut fait en temps le Roy E. tierce lan de son regne xlii. de coillet de vert cere soit tenuz & gardes en toutz pointz.

#### CAP. IV.

*No protection allowable for a gaoler which letteth a prisoner escape.*

**I**TEM, because that when divers persons, being debtors, be condemned to their creditors by due process of the law, and committed to prison, that is to say, to the gaols of the marthalsea, king's bench, fleet, and other prisons, in divers cities, boroughs, and towns within the realm, the wardens of the gaols and prisons aforesaid, of their own authority, do let the said debtors to go at large at their will; (2) and whereas by a statute it was ordained, That if any gaoler do let such prisoner to go by mainprise, or in bail, that then the person to whom the prisoner is condemned, shall have his action and recovery against the said gaoler, (3) the same wardens do  
pur-

**I**TEM pur ceo que quaut diverses gentz dettours sont condempnes a leurs creditours par due proces du loy & commys a prisone cestassavoir as gaoles de mareschalcie bank du Roi flete & aillours as autres prisones en diverses citees villes & burghs deins le roialme les gardeins des gaoles & prisones suifditz de leur propre auctorite lessent les dettours suifditz aler a large a leur volunte et la ou par estatut est ordeigne que si aucune gaoler lesseroit tiel prisoner aler a large par mainprise ou en baille qadonques la persone envers qi le dit prisoner estoit condempne averoit sa actione & recoverer envers le  
dit

dit gaoler mesmes yeux gardeins purchacent a eux mesmes protection du Roy parency qe les creditours suifditz par ycelles protections sont delaiez & taries de leur duete & droiturele recoeverer sibien envers les ditz gardeins des gaoles come les prisoners suifditz a tresgrand prejudice & damage del commune poeple & derogation de la commune loy ordeigne est & establiz qe nul protection soit vaillable ne allouable nacunement alloue en tiel cas.

*purchase to them the King's protection, whereby the said creditors by the same protection be delayed and deferred from their duty and rightful recovery, as well against the said wardens of the said gools, as against the said prisoners, to the great damage and prejudice of the common people, and derogation of the common law: (4) it is ordained and established, That no protection be available, nor by any means allowed in such case.*

In an action of debt brought against a gaoler who letteth a prisoner to escape, a protection will not lie.

13 Ed. 1. stat. 1. c. 11.

## CAP. V.

*The King shall not have the forfeiture of those lands whereof certain traitors were seised to the use of others.*

**I**TEM, it is ordained and established, That none of the castles, manors, lands, tenements, fees, advowsons, nor no parcel of the same, whereof *Henry Percie*, late earl of *Northumberland*, and *Thomas* late lord of *Bardolf*, were seised or any of them was seised jointly with other, or only by themselves, or of any of them only by himself, of the feoffment of other to another's use, or for the great trust that their feoffors had to them to do or perform their wills, and whereof they were not infeoffed to be inherit to their own use, but to perform the wills of their feoffors, or the wills of the feoffors of their feoffors, howsoever such feoffments be made by fine or otherwise, without shewing any deed proving the condition, shall be in any wise seised into the hands of our sovereign lord the King nor forfeit to him, and if any gifts or grants be made to our sovereign lord the King of the said castles, manors, lands, tenements, fees, and advowsons, or of any parcel thereof, to farm or otherwise, such gifts or grants shall be wholly void and of none effect for ever. *Provided always, that our sovereign lord the King have the forfeiture of the castles, manors, lands, tenements, fees, and advowsons, of which the said late earl of Northumberland, or of the said lord of Bardolf, or any of them, were or was by themselves or severally inheritable by descent, or by rightful purchase, or of which any other were infeoffed jointly with them, or other only to their use by fine, or in any other manner.*

Post. cap. 12.

## CAP. VI.

*The penalty of him which purchaseth a bull to be discharged of tithes.*

**I**TEM, it is ordained and established, That no person religious nor secular, of what estate or condition that he be, by colour of any bulls containing such privileges, to be discharged of *aïsmes* pertaining to parish-churches, prebends, hospitals, or vicarages,

Ex edit. Fult.

The penalty, for purchasing of bulls from Rome to be discharged of tithes.

13 R. 2. stat. 2. c. 2. & 3.  
8 H. 4. c. 4.

vicarages, purchased before the first year of King RICHARD the Second after the conquest, or sithence not executed, shall put in execution any such bulls so purchased, or any such bulls to be purchased in time to come. (2) And if any such religious or secular person, of what estate or condition he be, from henceforth by colour of such bulls do trouble any person of holy church, prebendaries, wardens of hospitals, or vicars, so that they cannot take or enjoy the *dismes* due or pertaining to them of their said benefices, that then such disturbers shall incur like proces and pain as is ordained by the statute made against them of the order of *Cisteaux*, in the second year of the reign of our said lord the King that now is.

## CAP. VII.

*Arrow-heads shall be well boiled, brased, and hard.*

Arrow-heads shall be well boiled, brased, and hardened at the points.

Justices of peace and chief officers of cities, &c. may enquire of and punish offenders.

**I**TEM, because the arrow-smiths do make many faulty heads for arrows and quarels, defective, not well, nor lawful, nor defensible, to the great jeopardy and deceit of the people, and of the whole realm; (2) it is ordained and established, That all the heads for arrows and quarels after this time to be made, shall be well boiled or brased, and hardened at the points with steel; (3) and if any of the said smiths do make the contrary, they shall forfeit all such heads and quarels to the King, (4) and shall be also imprisoned, and make a fine at the King's will; (5) and that every arrowhead and quarel be marked with the mark of him that made the same. (6) And the justices of peace in every county of *England*, and also the mayor and sheriffs, and bailiffs of cities and boroughs, within the same cities and boroughs, shall have power to enquire of all such deceitful makers of heads and quarels, and to punish them as afore is said.

**I**TEM pur ceo qe les arrow-smithes font plusours testes de fetes & quarels defectifs, nient bien ne loialment ne defensiblement a grant perill & desceit du poeple & de tout le roialme ordeigne est & establi que toutz les testes de fetes & quarels desore enavaunt affairs soient boilles ou brases & dures a la point daffer et si aucuns des ditz arrow-smithes les facent a contrarie qils forsacent toutes tielx testes & quarels au Roy & soient emprisonnez & en facent syn a la volonte du Roy, Et qe chescun teste des fetes & quarels soit seigne dune signe de celuy qe le fist. Et eient les justices de la pees en chescun counte dEngleterre & auxi les mairs viscontes & baillifs des citees & burghs deinz mesmes les citees & burghs poair denquer des toutz tieux faux fe-sours de testes & quarels & de les punir par manere come defuis est dit.

## CAP. VIII.

*No provision, licence, or pardon shall be granted of a benefice full of an incumbent.*

**I**TEM pur eschuir plusieurs dissensions discordez & debates & diverses autres meschies verray semblables a sourdre & avenir a cause des plusieurs provisions faitz & affaires par l'apostoill & auxi a cause des licences sur ce grantez par le Roi nostre souveraine seigneur ordeignez est & establiz qe nul tiel licence ou pardon ainssi graunte devant ces heures ne a grantier en temps advenir ne soit vailable a ascune benefice plein daucun incumbent a jour de la date de tiel licence ou pardone grante.

**I**TEM, To eschew many dissensions, discords and debates, and divers other mischiefs very like to rise and grow because of many provisions made, and to be made, by the pope, and also in respect of licences granted upon the same by the King our sovereign lord; it is ordained and established, That no licence or pardon so granted before this time, nor to be granted in time to come, shall be available to any benefice full of any incumbent, at the day of the date of such licence or pardon granted.

No provision shall be made by the pope nor licence of pardon by the King touching a benefice then full of an incumbent.

3 H. 5. c. 41

## CAP. IX.

*All merchandises may be sold in gross, as well to all others, as to citizens of London.*

**I**TEM come a la grevousse complaint des ditz communes fait en parlement soit monstrez coment dancien temps usez estoit & accoustumez qe sibien les drapers & vendours des draps de queconque lieu de roiaume repairantz & confluantz al citee de Loundres come autres merchantz ove diverses merchandises come de vyns feer oile & cere & autres choses appartenantz as merchandises exercerantz & repairantz & confluantz al dite citee ont achatuz & venduz en gros sibien ove aliens come deinzains de les draps & autres merchandises suisditz a lour volunte & pleiser paiaantz en ycelle partie tant-soulement custumes & autres devoirs ent refonablement duez & unques par mesme le temps ne furent destourbez ou en ascune manere impedez de vendre

**I**TEM, whereas at the grievous complaint made by the commons in the said parliament, it is shewed, how that in old time it was used and accustomed, that as well the cloth-makers and drapers of whatsoever place of the realm, repairing and having recourse to the city of London, as other merchants, with divers merchandises, as wine, iron, oil, and wax, and other things pertaining to merchandise, exercising, repairing, and having recourse to the said city, have bought and sold in gross, as well with aliens as with denizens, of the cloths and other merchandises aforesaid, at their will and pleasure, paying in this behalf only the customs and other devoirs thereof reasonably due; (2) and never in all the said time were disturbed, or in any manner hindered to sell or buy in gross with merchants, aliens, or denizens, of such

such cloths and merchandises, at their will and pleasure, but only to retail; (3) and now of late as well the same cloth-makers, as other the merchants aforesaid, by the mayor, sheriffs, aldermen, drapers, and merchants of London, be daily disturbed and let, to sell and buy in the manner aforesaid, as well in gross as in retail, and grievously and continually constrained to sell their said cloths and merchandises only to the merchants and inhabitants of the said city, to the singular profit and advantage of them of London, and also to the damage and loss of the lords spiritual and temporal, and the commons of this realm, as of the said cloth-makers and merchants so grieved, and a plain ensample and occasion to such cloth-makers and merchants so grieved, to withdraw themselves from the said city from henceforth, if remedy be not rather provided in this behalf; (4) it is ordained and established, That as well the drapers and clothfellers, as other merchants, with their fundry merchandises, as of wine, iron, oil, and wax, and other things pertaining to merchandises, shall be free to sell in gross their cloths, iron, oil, and wax, and other their merchandises, as well to all the king's liege people, as to the citizens of London, notwithstanding any franchise or liberty granted to the contrary.

8 Co. 128.

All merchandises may be sold in gross in London as well to all the King's people as to the citizens of London.

dre ou achater en gros ove merchantz aliens ou denzeins de tielx draps & merchandises a leur volunte & pleiser mes solement a retaiil et ja soient sibien les ditz drapers come les autres merchantz suifditz par les mair viscountz aldermannes drapers & marchantz de Loundres destourbez de jour en autre de vendre & achater en la manere suifdit sibien en gros come a retaiil & grevoufement & continuelement constreintz de vendre leur draps & merchandises suifditz tantsolement as merchantz & autres enhabitantz la dite citee a singular avantage & profit deux de Loundres & sibien commune damage & perde des feignurs esprituelx & temporelx & les communes du roiaume come de les ditz drapers & merchantz ensi grevez & evident ensample & occasion as tielx drapers & merchantz ensi grevez de leur retraiher de la dite citee enavaunt si remede ne soit purveu le pluistost en cest partie ordeignez est & establiz qe sibien les drapers & vendours des draps come autres merchantz ove leur diverses merchandises come de vyns ferre seel & cere & autres choses appartenantz as merchandises soient francz de vendre en gros leur draps ferre seel & cere & autres leur merchandises sibien as quelx conques lieges du Roy come a les citezeins de Londres non obtant aucuns franchise ou libertees grauntez a contrarie.

## CAP. X.

*The length and breadth of cloth of ray and coloured.*

Ex edit. Raft. Cloths of ray. **I**TEM, whereas in divers parliaments of King EDWARD the Third, grandfather of our sovereign lord the King that now is, was ordained, That the cloth of ray should be in length xxviij. yards, and in breadth vj. quarters, and the whole coloured cloth in length

xxvj. yards measured by the creast, and in breadth vj. quarters and a half, to the intent that the one whole cloth and the other watered and rowed should be in length xxiiij. yards: and now the makers of the said cloths do make them subtilly, so that the cloth unneth containeth xxj. or xxij. yards, and of less breadth by much than it should be, in deceit and great damage of the common people of the realm: it is ordained and established, That the whole coloured cloth shall contain in length xxviii. yards, and the cloth of ray as much measured without defoiling the cloths, and in breadth as before is ordained by the statute. And if the clothmakers from henceforth make their cloths of less length or breadth, that then the same makers shall forfeit the cloths, which by the aulneger shall be found of less length or breadth. And that the aulneger take the same and deliver them to the wardrobe; to the use of our sovereign lord the King.

## CAP. XI.

*Commissioners not receiving a commission, shall be discharged upon oath.*

**I**TEM come plusieurs des lieges nostre seigneur le Roy soient assignez par les commissions pur faire & parfourrir la contenue dicelles aucuns doier & terminer & aucuns denquerer & certifier & autrement par ont mesmes les commissions sont grevouement constreintz par proces hors de leschequer par cause des ditz commissions et par celle cause perdont grandes issues la ou les ditz commissioners unques ne furent sachantz de tielx commissions ne unques mesmes les commissions deveindront en leur mains a grand damage & liseise des plusieurs des lieges du Roy ordeignez est & establi qe les barons de leschequer nient poair de reseiver les sermentz de tielx commissioners de leurs excusation & discharge de la reseit ou occupation de tielx commissions. Et auxi qe mesmes les barons & les justices de lun banc & de lautre aient poair par breve de *De dimus potestatem* de reseiver tielx sermentz en pais et qe mesmes les justices ent certifient les ditz barons

**I**TEM, whereas many of the king's liege people be assigned by his commissions to do and perform the content of the same; some to hear and determine, some to enquire and certify, and otherwise, whereby the same commissioners be grievously distrained by process out of the exchequer, by reason of the said commissions, and by that occasion do lose great issues, where the said commissioners did never know of such commissions, nor the same commissions ever came to their hands, to the great damage and hinderance of many of the King's subjects; (2) it is ordained and established, That the barons of the exchequer shall have power to receive the oath of such commissioners of their excuse and discharge of the receipt or occupation of the said commissions; (3) and also that the same barons of the exchequer, and the justices of the one bench and the other, shall have power, by writ of *De dimus Potestatem*, to receive such oaths in the country; and that the same justices shall thereof certify the said barons in the exchequer

Commissioners not receiving the commissions, shall be discharged upon their oaths.

chequer from time to time, and that upon the same, the said barons shall discharge the said commissioners; (4) and in like wise it shall be done for the heirs, executors, or land-tenants of the said commissioners. (5) Provided always, That such oaths be not taken but in case of commissions of Oyer and Determiner, and of enquiry and certifying only.

4 H. 4. c. 9.

barons en leschequer de temps en temps et qe sur ce mesmes les barons dischargent les ditz commissiioners et semblablement soit fait pur les heirs executours ou terretenantz dicelles commissiioners. Purveux toutesfoitz qe tielx serementz ne soient prises mes en cas de commissiions d'oyer & terminer & denquer & certifier tantfoulement.

### CAP. XII.

*Those lands shall not be forfeited to the King, whereof traitors were seized to the use of others.*

Ex edit. Raft.

**I**TEM, it is ordained and established, That none of the manors, lands, or tenements, whereof John earl of Salisbury which was beheaded at Cirecester, or sir Thomas Blount, and all other which were taken at Cirecester and brought to Oxford, or other that were judged traitors in any other place within the realm of England, after the coming of our said sovereign lord the King into the said realm, were seised or any of them was seised jointly with othet, or only by themselves of the feoffment of other, to another's use, or for the great confidence that their feoffors had in them, to do and perform their will, and whereof they were not enfeoffed to be inherited, but to perform the will of their feoffors, nor no part of the same manors, land, or tenements, howsoever such feoffments be made by fine or otherwise, without shewing a deed proving the condition: shall be in any wise forfeit to our said sovereign lord the King, and if any gifts or grants be made by our said sovereign lord the King of the said manors, lands, or tenements, or of any parcel thereof, to fern or otherwise, such gifts or grants shall be utterly void for ever and of none effect. *Provided always, that our sovereign lord the King have the forfeiture of the manors, lands, and tenements, whereof the said late earl of Salisbury, or the said sir Thomas, and the other aforesaid, or any of them, were or was by themselves or severally inheritable by descent or by rightful purchase, or whereof other were enfeoffed jointly with them, or other only to their use by fine or in other manner whatever.*

ante. c. 5.

### CAP. XIII.

*Impotent persons that be outlawed may make attornies.*

**I**TEM, whereas many of the King's liege people be outlawed, and many waived, by erroneous process in law, and be so impotent in their bodies, by divers maladies and infirmities, that they cannot come in their proper persons before

**I**TEM pur ceo qe plusours des lieges du Roy sont outlages & plusours waiviez par proces erroine du loye & sont si impotentz de leurs corps par diverses maladies & infirmitiez qils ne purront en leurs propres

s perſones venir devant le  
y en ſon banc illoeqs af-  
e leur ſeute pur tiel proces  
eine reverſer ordeignez eſt  
eſtabliz qe cheſcun juſtice  
lun banc & de lautre & auxi  
chief baron de leſchequer ait  
ir dexaminer ycelles perſo-  
aiants tiels maladies & in-  
nitees overtment conuz &  
ce purront meſmes les juſ-  
s & baron & cheſcun de eux  
lours diſcretions recorder  
urne en ceſt cas. Pourveux  
tesſoitz qen le breve de Ca-  
s ad ſatisfaciend' courge la  
gmune ley,

*the King in his bench, there to  
make their ſuit to reverſe ſuch er-  
roneous proceſs;* (2) it is ordain-  
ed and eſtabliſhed, That every  
juſtice of the one bench and of  
the other, and alſo the chief  
baron of the exchequer, ſhall  
have power to examine the  
ſame perſons, having ſuch ma-  
lady and diſeaſes openly known,  
and thereupon may the ſame  
juſtices and baron, and every of  
them, by their diſcretion, re-  
cord their attorney in this caſe.  
(3) Provided alway, That in  
the writ of *Capias ad ſatisfacien-  
dum* the common law ſhall hold  
place,

Impotent per-  
ſons that be  
outlawed may  
make their  
attornies.

*Capias ad ſa-  
tisfaciendum.*

#### C A P. XIV.

*e ſtatute of 1 HEN. 4. c. 7. and 1 RICH. 2. c. 7. touch-  
ing the giving and taking of liveries confirmed. No congre-  
gation or company ſhall make any livery of cloth or hats,*

TEM, *whereas it is ordained by the ſtatute made the firſt year of* Ex edit. Raſt.  
*the reign of our ſovereign lord the King that now is, That no*  
*bbiſhop, biſhop, abbot, nor prior, nor none other man of holy church,*  
*temporal perſon, of what eſtate or condition that he be, within the*  
*ilm of England, give no liveries of cloth to any, but only to his me-  
n and officers, and to thoſe that be of their council as well ſpiritual*  
*temporal, learned of the one law or the other, upon pain to make fine*  
*d ranſom at the King's will: it is ordained and eſtabliſhed, That*  
well that ſtatute, as the ſtatute of livery of hats, made in the  
ne of King RICHARD the Second, be holden and firmly kept,  
id put in due execution, joined to the ſame, that if any knight,  
any other perſon of leſs eſtate, do give any ſuch livery of  
oth or of hats, againſt the form of the ſaid ſtatutes, that he  
all incur the pain of a C. s. for every ſuch livery of cloth or  
hats, to be paid to the King as often as he ſhall do contrary  
this ſtatute or ordinance, and that he, which receiveth any  
ch livery of cloth or of hats, ſhall likewiſe incur the pain of  
l. s. to be payed to the King as afore is ſaid, and he that will  
e in this caſe, ſhall have the one half of ſuch pains for his la-  
our. And that the ſame pains be in no wiſe pardoned. More-  
ver it is ordained, That no congregations nor company be made  
f ſuch livery of cloth nor of hats at the proper coſts of the con-  
gregation, or company, upon pain of every man of the ſame  
ongregation or company, that doth contrary to this ordinance  
r ſtatute, to pay the King xl. s. *The gilds and fraternities, and*  
*ſo the people of myſteries of cities and boroughs within the realm, that*  
*e founded or ordained to a good intent or purpoſe only except. And*  
he juſtices aſſigned to take aſſiſes ſhall have power to enquire

Livery of  
cloth, and of  
hats.



Repealed by  
3 Car. 1. c. 4.

from time to time in their sessions of the matters aforesaid, and the same to certify in the king's bench. *Provided always that in the time of war it shall be lawful to lords, knights, and esquires, which travel in such war, to give their livery of clothing or of hats, such and in such wise, as best to them shall seem for the time of such war, without being any wise vexed or inquieted in this behalf by force or virtue of this statute.*

### CAP. XV.

*The manner of the election of knights of shires for a parliament.*

4 Inst. 10. 48.  
The manner  
of the election  
of the knights  
of the shires  
for the parlia-  
ment.

**I**TEM, our lord the King, at the grievous complaint of his commons in this present parliament, of the undue election of the knights of counties for the parliament, which be sometime made of affection of sheriffs, and otherwise against the form of the writs directed to the sheriff, to the great slander of the counties, and hindrance of the business of the commonalty in the said county; (2) our sovereign lord the King, willing therein to provide remedy, by the assent of the lords spiritual and temporal, and the commons in this present parliament assembled, hath ordained and established, That from henceforth the elections of such knights shall be made in the form as followeth; (that is to say) at the next county to be holden after the delivery of the writ of the parliament, proclamation shall be made in the full county of the day and place of the parliament, (3) and that all they that be there present, as well suitors duly summoned for the same cause, as other, shall attend to the election of the knights for the parliament, (4) and then in the full county they shall proceed to the election freely and indifferently, notwithstanding any request or commandment to the contrary; (5) and after that they be chosen, the names of the per-

3 Ed. 1. c. 5.

**I**TEM nostre seigneur le Roy al grevous compleint de la communalte del non deve election des chivalers des countees pur le parlement queux aucuns foitz sont faitz de affection des viscountz & autrement encounter la forme des briefs as ditz viscountz directe a grand esclandre des countees & retardation des busoignes del communalte du dit countee nostre souverain seigneur le Roy vuillant a ceo purveier de remedie de lassent des seignurs espirituelx & temporelx & de tout la communalte en cest present parlement ad ordeignez & establiz que desore enavaunt les elections des tielx chivalers soient faitz en la forme qenseute cestallaver que al prochain countee a tenir apres la livre du brief du parlement proclamation soit fait en plein countee de le jour & lieu de parlement & que tontz ceux que illoques sont presentz sibien futerez dument somonies pur cele cause come autres attendent la election de leurs chivalers pur le parlement et adonques en pleine countee aillent al election liberalment & indifferement non obstant aucune prier ou comaundement au contrarie et apres qils soient esluz soient les persones esluz presentz ou absentz soient leur nouns escriptz en endenture dessoutz les seals

de toutz ceux qe eux esissent & tacchez au dit breve du parlement quele indenture issint ensealez & tacchez soit tenuz pur retourne du bit brief qant as chivalers des countees. Et qen briefs de parlement affairs en temps advenir soit mys ceste clause ' Et electionem tuam in pleno comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint nobis in cancellaria nostra ad diem & locum in brevi content' certifices indilate.'

sons so chosen (be they present or absent) shall be written in an indenture under the seals of all them that did choose them; and tacked to the same writ of the parliament; which indenture, so sealed and tacked, shall be holden for the sheriff's return of the said writ, touching the knights of the shires.

(6) And in the writs of the parliament to be made hereafter, this clause shall be put: *Et electionem tuam in pleno comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint nobis in cancellaria nostra ad diem & locum in brevi contentos certifices indilate,*

A clause to be inserted in every writ of the parliament.

11 H. 4. c. 1.

6 H. 6. c. 4.

23 H. 6. c. 15.

### C A P. XVI.

*Annuities granted by the King or his ancestors, of an elder date, shall be paid before them that were granted of a later date.*

**I**TEM, whereas late upon a suggestion made to our sovereign lord the King in this parliament holden at Westminster, in the Utas of Saint Hillary, the fourth year of his reign, by the commons then being in the said parliament, That whereas divers persons, which had in consideration of their good service, as well of the grant of our sovereign lord the King that now is, as of the grants of King EDWARD, grandfather of our said sovereign lord the King, and of King RICHARD, his last predecessor, certain annuities to be taken for term of their lives, of the issues and revenues of divers counties of England, by the hands of the sheriffs of the said counties for the time being, and that other persons of a later time, by virtue of letters patents to them granted by some of the said Kings, of certain sums to be taken of the issues of the said counties for term of life or in other manner in surcharging of the said counties, by favour or pardon hath been payed, the first grantees set apart, or many of them not payed, to their great wrong, and against right and reason and likely to the disberison of the said first grantees: it is ordained and established, That they, which have letters patents effectual and of force, being of the elder date, shall be first payed, according to effect of the same, and of the sufficient grants thereupon made. Saving to our sovereign lord the King the proffers made or to be made in his exchequer, and saving that that is granted to the Queen and the King's son. And if any sheriff, customer, or any other pay to any having letters patents of a later date, and leave any other having letters patents of an elder date unpaid, except those which before be excepted, that he which so doeth, be not excused nor discharged against them that have their letters

Ex edit. Rast,

Annuity,

patents of the elder date, nor discharged out of the exchequer till he hath made gree to the party according to law and reason, and damages after the discretion of the barons of the exchequer.

## C A P. XVII.

*No man shall put his son or his daughter to be an apprentice, unless he have twenty shillings in land or rent; but every person may put his son or daughter to school.*

Ex edit. Raft.

Labourers.

Husbandry.

Apprentice.

**I**TEM, it is ordained and established, That the good statutes made in the time of King EDWARD, grandfather of our sovereign lord the King that now is, the xxv. year of his reign, and the statutes made at Canterbury in the time of King RICHARD late King of England, the xii. year of his reign, touching labourers, artificers, and other servants of husbandry, shall be holden and kept in all points, and put in due execution: and whereas in the statutes made at Canterbury, among other articles it is contained, That he or she that useth to labour at the plough or cart, or other labour or service of husbandry, till he be of the age of twelve years, that from the same time forth he shall abide at the same labour, without being put to any mystery or handicraft, and if any covenant or bond be made from that time forth to the contrary, it shall be holden for none. Notwithstanding which article, and the good statutes afore made through all parts of the realm, the infants born within the towns and seignories of upland, whose fathers and mothers have no land nor rent, nor other living, but only their service or mystery, be put by their said fathers and mothers and other their friends to serve and bound apprentices to divers crafts within the cities and boroughs of the said realm, sometime at the age of twelve years, sometime within the said age, and that for the pride of clothing and other evil customs that servants do use in the same, so that there is so great scarcity of labourers and other servants of husbandry, that the gentlemen and other people of the realm be greatly impoverish'd for the cause afore said: our sovereign lord the King considering the said mischief, and willing thereupon to provide remedy, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained and established, That no man nor woman, of what estate or condition they be, shall put their son or daughter, of whatsoever age he or she be, to serve as apprentice, to no craft nor other labour within any city or borough in the realm, except he have land or rent to the value of twenty shillings by the year at the least, but they shall be put to other labours, as their estates doth require, upon pain of one year's imprisonment, and to make fine and ransom at the King's will. And if any covenant be made of any such infant, of what estate that he be, to the contrary, it shall be holden for none. *Provided always*, That every man or woman, of what estate or condition that he be, shall be free to set their son or daughter to take learning at any manner of school that pleaseth them within the realm, and that from henceforth every person that will make his son or daughter apprentice to any craft within city or borough, that he bring to the mayor or bailiffs of the said city

city or borough a bill sealed under the seals of two justices of Justice of  
 peace of the county, where such infant is born, testifying the va- peace.  
 lor of the lands or rents of his said father and mother, as afore  
 is said. And that no man nor woman receive any apprentice  
 contrary to this ordinance, upon pain to pay to the King C.  
 shillings, as well at the King's suit as of every person that will  
 complain, as well before the justices of peace, as in any other  
 court of the King. And he that will sue in this behalf shall  
 have the one half for his labour, and the King the other half.  
 And that in every leet be it in the King's hand, or of any other  
 the King's liege man, once in the year all the labourers and ar-  
 tificers dwelling in the same leet shall be sworn, to serve and  
 take for their service after the form of the said statutes. And if  
 they refuse that to do, they shall be put in the stocks within the Stocks.  
 town where they be taken by three days without bail or main-  
 prise, till they will make gree, and from thence they shall be sent  
 to the next gaol. And that every town or feignory that faileth Repealed by  
 of their stocks, so that they be not made before the feast of 8 H. 6. c. 11.  
*Easter* next coming, shall incur against the King the pain of C. s. 12 H. 7. c. 1.  
 to be levied and paid in aid of the *Quinzima* to be granted 5 Eliz. c. 4.  
 hereafter. lect. 27.

## C A P. XVIII.

*None shall be punished for repressing of the late riots.*

**I**TEM, it is ordained and established, That none of the lords Ex edit. Raff.  
 spiritual nor temporal, knights nor esquires of the realm,  
 nor none other person, of what estate or condition that he be,  
 shall not be in any wise grieved, molested, inquieted, nor en-  
 damaged, for any of them, or for their journeying or pursuit  
 made with the King at his commandment, for to chastise and  
 punish the riots and insurrections, which hath been diversly  
 made at sundry seasons within the realm, after the coming of  
 our said sovereign lord the King into the same realm, but that  
 they and every of them be thereof utterly quit, released, pardon- Pardon.  
 ed, and discharged for ever.

Statutes made at Gloucester, Anno 9 HEN. IV.  
 and Anno Dom. 1407.

REX vicecomiti Kanc' salutem. Quedam statuta & ordinationes  
 in ultimo parlamento nostro edita tibi mittimus in forma pa-  
 tenti sub eo qui sequitur tenore.

**P**OUR ceo qe diverses com-  
 plaintes ount este faitz a  
 nostre seigneur le Roy par les  
 communes de son roiaume en  
 le parlement tenuz a Gloucestre  
 le xxme jour d'Octobr' lan du  
 regne nostre dit seigneur le Roy  
 noefisme

**B**ECAUSE that divers complaints  
 have been made to our lord  
 the King by the commons of this  
 realm, in the parliament holden at  
 Gloucester the twentieth day of  
 October, in the ninth year of the  
 reign of our said lord King HENRY  
 the

*the Fourth after the conquest; the same our lord the King, willing to remedy the said complaints, by the advice and assent of the lords spiritual and temporal, and at the instance and request of the said commons, hath caused to be ordained and established divers statutes and ordinances, in force as followeth.*

*noefime mefine nostre seigneur le Roy voillant remedier les ditz compleintes de ladvis & assent des seignurs espirituelx & temporelx & a les instance & request des ditz comunes ad fait ordeiner ditz estableier diverses ordeinances & estatutz en la forme qensuyt.*

## CAP. I.

*A confirmation of all liberties, except those granted to the scholars of Oxford.*

The liberties of the church, and the franchises of all cities, boroughs and private persons confirmed.

**F**IRST, That holy church have all her liberties and franchises; (2) and that all the lords spiritual and temporal, and other the King's liege people, having liberties and franchises, and all cities and boroughs of the realm, have and enjoy their liberties and franchises, which they have of the grants of the progenitors of our lord the King, and of his own grant or confirmation, except the franchise now late granted to the scholars of the university of *Oxford*; (3) and that the Great Charter, and the Charter of the Forest, and all other good statutes made before this time, and not repealed, stand in their force.

A franchise granted to the scholars of Oxford excepted.

**P**rimierement qe seinte eglise ait toutes ses libertees & franchises et qe toutes les seignurs espirituelx & temporelx & les autres lieges du Roy aientz libertees & franchises & toutz les citees & burghs du roiaume aient & enjoient toutz leur libertees & franchises queux ils ount des grauntz de les progenitours nostre dit seigneur le Roy & de son graunt demesne ou conferment forspris la franchise ore de novell graunttee a les escolers del universitee d*Oxford* et qe la Graunde Chartre & la Chartre de la Foreste & toutz autres bons estatutz avant ces heures faits & nient repelez estoient en leur force.

## CAP. II.

*Kendal cloth shall not be sealed, nor aulnage paid for it.*

Ex edit. Rast. Kendal-Cloth. Seal. Aulnage. 1 H. 4. c. 19. farther provided for by 7 Jac. 1. c. 16.

**I**TEM, it is ordained and established, That no cloth called *Kendal*, whereof the dozen passeth not vi. s. viii. d. shall not be sealed with none of the King's seals, nor aulnage great nor little be paid for the same. And that the owners to such cloths may freely sell the same cloths not sealed without forfeiting any thing to the King for the same, notwithstanding any statute or ordinance made to the contrary.

## CAP. III.

*Felons in South Wales shall be taken, or the country shall satisfy for their offences.*

South Wales.

**I**TEM, touching felonies and robberies done within any seignory of *South Wales*, it is ordained and established: That the people of the country, where such felons be born, received, or dwelling,

(shall

shall take the same felons and bring them to the gaol of the same country, where they shall be taken, or else they shall be charged and make satisfaction of the felonies and robberies aforesaid to the parties, and that by the ordinance and award of the lord of the same seignory.

Felonies.  
Repealed by  
21 Jac. 1. c. 23.

## CAP. IV.

*Disclaimer in felony in Wales shall be utterly excluded and put out.*

**I**TEM ordeignez est & establisz qe nul laron ne felon en Gales overtement conuz ne soit suffert par disclaimer hors del seignurie ou la felonie fuist fait & qe tiel manere de disclaimer soit de tout oustiez et qe sibi en les ditz larons overtement conuz come autres larons soient mys a respoudre come privez as enditementz ou accusementz en mesmes les seignuries ou les larons sont prises sanz estre deliverez par disclaimer ou par lettres de marche en aucune manere.

**I**TEM, it is ordained and established, That no thief nor felon in *Wales*, openly known, be suffered to disclaim out of the seignory where the felony was done, and that such manner of disclaiming be utterly put out; (2) and that as well the said thieves openly known, as other thieves, be put to answer, as privy to the indictments or accusations in the same seignories where the thieves be taken, without being delivered by disclaiming, or by letters of mark in any manner.

Disclaiming  
in felony in  
Wales shall  
be utterly  
put out.

27 H. 8. c. 26.

## CAP. V.

*Lords of ancient demesne, or mayors, &c. named disseisors in assise, to take away their franchise.*

**I**TEM come diversetz gentz fuont sovent soitz assises de Novell disseisine & autres briefs de plee de terre devant justices assignez en le plee de terre a le commune ley des terres tenementz & rentes esteantz deirts yilles franchises & auncien demesne envers certains persones & fount nomer auxint en lour ditz assises & briefs les mair bailiffs & communalte des franchises & les seignurs & bailiffs dauncien demesne fuist ditz ou ils ne sont en verite disseifours ne tenantz des ditz terres tenementz ou rentz issint en plee esteauntz par collusion & fraude de voidre & excluder les ditz mair bailiffs & communalte & les ditz seignurs & bailiffs

**I**TEM, whereas divers people do oftentimes sue assises of Novel disseisin, or other writs of plea of land at the common law, of lands, tenements, and rents being within franchised towns, and ancient demesne, against certain persons, and cause to be named also in their said assises and writs the mayor and bailiffs, and commonalty of the franchises, and the lords and bailiffs within ancient demesne aforesaid, whereas of truth they be not disseisors, nor tenants of the said lands, tenements, or rents so being in plea, but named by collusion and fraud, to bar and exclude the said mayors, bailiffs, and commonalty, and the said lords and bailiffs of ancient demesne, of their franchises and liberties, cognisance, and

A remedy where lords of ancient demesne or mayors are named disseisors in writs to take away their franchise.

and jurisdiction of their court before them: (2) it is ordained and established, That in such assises or writs purchased or sued from henceforth, or at this present depending betwixt any parties before any such justices at the common law, in which such mayor, bailiffs, and commonalty, or lords of bailiffs of ancient demesne be named, that the same justices shall first inquire by the said assise in the country, whether the said mayor, bailiffs, and commonalty, or lords or bailiffs of ancient demesne (if they require it before such justices) be disseisors or tenants in that case, or be named by collusion and fraud, as afore is said. (3) And if it be found that they be not disseisors, nor tenants of the said lands, tenements, or rents, but acquit before the same justices, and found that they be named by collusion and fraud in the form afore said, That in such case the justices shall cause the said writs of assises, or other writs purchased in the form afore said, to be abated and annulled; (4) and that the said plaintiff or plaintiffs shall be in grievous mercy of the King, notwithstanding that other tenants or disseisors be named or found in such assises or writs.

baillifs dauncien demesne de lour fraunchises libertees conifances & jurisdictions avoir de lour court devant eux ordeignez est & establiz qen tiel assises ou briefs purchafez ou suez desore enavaunt ou a present pendantz parentre queconques perfonnes devant aucunes tiels justices a le comune ley es queux tielx mair baillifs communaltee seignurs ou baillifs dauncien demesne soient nomez qe les ditz justices primes enquergerent par la dite assise en pais si les ditz mair baillifs communaltee seignurs ou baillifs dauncien demesne ce demaundent devant tielx justices ils soient disseifours ou tenantz en tiel cas ou soient nomes par collusion & fraude come dessus est dit. Et si trove soit qils ne sont mye disseifours ne tenantz des ditz terres tenementz ou rentz eins acquitez devant memes les justices & trovez qils sont nomes par collusion & fraude en la forme suifdit qen tiel cas les ditz justices facent abater & casser les ditz briefs ou brief d'assises & autres briefs purchafes en la forme suifdit et qe les ditz pleintifs ou pleintif soient & soit en la greve mercy le Roy noun obstaunt qe autres disseifours ou tenantz soient nomez & trovez en tielx assises ou briefs.

8 H. 6. c. 26.

#### C A P. VI.

*A repeal of the statute of .7 HEN. 4. cap. 10. touching the length and breadth of cloth of ray.*

Ex edit. Rast.  
Cloths of ray.

**I**TEM, whereas in the statute made at Westminster the seventh year of the reign of our said sovereign lord the King, it was ordained and established, That the cloths of ray should contain in length xxviii. yards measured by the list, and in breadth vi. quarters. And if the makers of the said cloths from that time forth should make their cloths of less length or breadth, they should forfeit their cloths which should be found by the aulneger of less length or breadth, as in the said statute is more fully contained: our said sovereign lord the King considering

dering the said statute in this behalf very grievous and prejudicial, by the advice and assent of the said lords, and at the request of the said commons hath ordained and established: That the makers of the said cloths of ray, and the sellers of the same, shall be as free in the making and selling of the same as they were before the said parliament holden at Westminster. And that the said statute made in the said parliament, touching this matter, be wholly adnulled and repealed, and of no force nor value. And moreover, our said sovereign lord the King of his especial grace hath pardoned the makers of the said ray cloths, and the sellers of the same, the forfeiture and all that to him pertaineth, or in any manner may pertain by occasion thereof.

11 H. 4. c. 6.  
13 H. 4. c. 4.  
5 & 6 Ed. 6. c. 6.  
43 Eliz. c. 10.  
4 Jac. 1. c. 2.

## CAP. VII.

*Goods shall be chargeable for the payment of the quinzime, where they were at the time when the same was granted.*

**I**TEM ordeignez est & establi-  
z qe toutz maners des  
foreins eiantz terres tene-  
ments bestes biens ou chateux  
deins aucuns villes la jour del  
graunt dascune disme ou quin-  
zime ou dautre taxe que-  
conque combien qils ames-  
nent lour bestes ou emportent  
lours biens & chateux hors di-  
cell ville apres le jour de graunt  
suifdit qe mesmes les foreins &  
chescun de eux soient & soit  
contributours & contributoir  
ovefque ceux demurrantz en  
tielx villes a chescun tiel disme  
xvme ou taxe queconque Et  
qe les coillours de mesme la  
disme quinzime ou taxe pur  
le temps esteantz deinz tielx  
villes eient poair par auctorite  
de lour office de taxer & asses-  
ser tielx foreins solonc lour  
quantite de lour biens chateux  
& possessions esteantz es ditz  
villes a les jours des grauntz  
dicelles disme quinzime ou  
taxe & pur les sommes as  
queux ils serront assessez ou  
taxez destreindre en queconque  
lieu deins le counte sibien de-  
vaunt qe nostre seignur le Roy  
soit responduz de les entiers  
sommes qateignent as tielx vil-  
les come apres. Purveux toutz  
foitz

**I**TEM, it is ordained and  
established, That all man-  
ner of foreigners having lands,  
tenements, goods, and chat-  
tels, within any towns at the  
day of grant of any *disme* or  
*quinzime*, or of any other tax  
whatsoever, although they lead  
away their beasts, or carry a-  
way their goods and chattels  
out of the same town after the  
day of the said grant, that the  
same foreigners, and every of  
them, shall be contributory  
with the inhabitants of such  
towns to such *disme*, fifteen, or  
tax whatsoever. (2) And that  
the collectors of the same *disme*  
*quinzime* or tax for the time  
being, within such towns, shall  
have power by authority of  
their office to tax and assess  
such foreigners according to  
the quantity of their goods,  
chattels, and possessions, being  
in the said towns at the days  
of the grant of the said *disme*  
*quinzime* or tax, (3) and for  
the sums whereto they be as-  
sessed or taxed, to distrain in  
every place within the county,  
as well before that our said  
lord the King be answered of  
the whole sums that attain to  
such towns, as after. (4) Pro-  
vided

1 Ed. 3. stat. 2.  
c. 6.

Goods shall be  
chargeable to  
the payment  
of the fifteen  
where they  
were at the  
time the same  
was granted.



None shall be  
twice charged  
for his goods.

vided always, That no man  
nor woman be two times char-  
ged for any such beasts, goods,  
nor chattels, in any wise by  
occasion thereof.

foitz qe null home ne femme  
soit chargez deux foitz pur  
null tielx bestes ne chateux a-  
cunement par celle encheson.

## CAP. VIII.

*The carrying of money out of the realm to the court of Rome  
prohibited; and all statutes against provisors, and trans-  
lation of archbishopsricks, &c. confirmed.*

Ex edit. Rast.  
Money.

**I**TEM, our said sovereign lord the King considering how that  
the money of his realm of *England* is in divers ways convey-  
ed out of the same realm to the court of *Rome* in exchange, by  
provisors or provisions purchased of the pope, and translations  
of archbishopsricks and bishopsricks, to the great impoverishing  
of the same realm; hath ordained and established by the assent  
aforesaid, That all the statutes and ordinances made against pro-  
visors, translations of archbishopsricks and bishopsricks, their ex-  
ecutors, procurators, notaries, fautors, maintainers and receivers,  
as well in the times of King *EDWARD* the Third, and King  
*RICHARD* the Second, as in the time of our said sovereign lord  
the King that now is, with all the pains and additions to the  
same, shall be from henceforth firmly holden and kept in all  
points, the moderation of the said statutes made before this time  
to our said sovereign lord the King notwithstanding.

Provisors.

## CAP. IX.

*Elections to spiritual promotions shall be free, and not inter-  
rupted by the pope or the King.*

Altered 25  
H. 8. c. 10.

**A**ND that from henceforth  
all the elections of all  
archbishopsricks, bishopsricks,  
abbies, priories, deanries, and  
other dignities, or any other  
elections, be free, without be-  
ing in any wise interrupted by  
the said pope, or by command-  
ment of our said sovereign lord  
the King. Provided always,  
that our said sovereign lord  
the King have as freely his li-  
berties and prerogatives, as  
any of his noble progenitors  
hath had before this time, and  
as he himself had at the time of  
the making of this statute.

**E**T qe toutz les elections  
des toutz erchieveschies  
eveschies abbies priories deanres  
ou autres dignites electives qi-  
conques soient desorenavaunt  
frankes sanz estre en nulle ma-  
niere destourbiez par l'apostoil  
avaunt dit ou par maundement  
de nostre dit seigneur le Roy.  
Purveux toutz foitz qe nostre  
dit seigneur le Roi eist auxi  
franchement sez libertee &  
prerogatif come aucune de ses  
nobles progeniteurs ad eue de-  
vant ces heures ou come luy  
mesmes ad a cest temps de se-  
sance de cest estatut.

## CAP. X.

*A pardon granted by the King to all that have purchased provisions, or translations to archbishopsricks, bishopsricks, &c.*

**A**ND also the same our sovereign lord the King hath pardoned all them that have purchased provisions or translations of archbishopsricks or bishopsricks, purchased and executed and not executed before this first day of *December*, and all their procurators, notaries, fautors and executors, all manner of trespasses, contempts, forfeitures, and misprisions done by them or any of them concerning the said purchases, so that they may put their grace in execution, as well by themselves as by their procurators, notaries, and executors aforesaid. Pardon.

**E**T ideo tibi precipimus quod statim visis presentibus statuta & ordinationes predicta in singulis locis infra ballivam tuam ubi magis expediens fuerit & necesse publice ex parte nostra proclamari & notificari ac quantum in te est firmiter & inviolabiliter teneri & observari facias juxta tenorem eorumdem Et hoc nullatenus omittas.

T. R. apud Westm' primo die Februarii anno nono.

Statutes made at *Westminster*, Anno 11 HEN. IV.  
and *Anno Dom.* 1409.

**D**E ladvys & assent des seignurs esperituelx & temporelx & a les grandes instance & prier des communes esteantz en le parlement tenuz a Westm' en la quinzeine de seint Hiller lan del regne nostre seigneur le Roy unzfzilmefme nostre seigneur le Roy ad ordeignez & establiz diverses ordeignances & estatutz en la forme qensuyte.

**B**Y the advice and assent of the lords spiritual and temporal, and at the request, instance, and suit of the commons, being in the parliament holden at Westminster, in the fifteenth of St. Hillary, the eleventh year of the reign of King HENRY the Fourth; the same our lord the King hath ordained divers statutes and ordinances in the form as followeth.

## CAP. I.

*The penalty on a sheriff for making an untrue return of the election of the knights of parliament.*

**P**Rimerement come en le parlement tenuz a Westm' lan du regne nostre dit seigneur le Roy septisme ordenez fuit & establiez par estatut en conservation de les franchises & libertees del election des chivalers de countees uzez parmy le roialme certeine forme & manere  
de

**F**IRST, whereas in the parliament holden at Westminster, the seventh year of the reign of our said lord the King, there was ordained and established by a statute for the preservation of the liberties and franchises of the election of the knights of the shire used through the realm,

7 H.4.c.15.  
8 H.6.c.7.

a cer-

The penalty of the sheriff who makes an untrue return at the election of the knights of the parliament.

*a certain form and manner of the election of such knights, as in the said statute more fully is contained; (2) and forasmuch as in the same statute no penalty was ordained or limited in special upon the sheriffs of the counties, if they make any returns to the contrary of the same statute; (3) it is ordained and stablished, That the justices assigned to take assises, shall have power to enquire in their sessions of assises of such returns made; (4) and if it be found by inquest, and due examination before the same justices, that any such sheriff hath made, or hereafter make, any return contrary to the tenor of the said statute, that then the same sheriff shall incur the penalty of one hundred pounds to be paid to our lord the King; (5) and moreover, that the knights of the counties so unduly returned, shall lose their wages of the parliament, of old time accustomed.*

1 H. 5. c. 1.  
6 H. 6. c. 4.  
23 H. 6. c. 15.  
Rast. 446.

de la election de tielx chevaliers come en le dit estatut plus pleinement est contenuz & partant qen mesme lestatut null peine fuit ordeigne ne mys en especiale sur les viscontz des countees fils ferroient ascuns retournes a contrair de mesme lestatut ordeigne est & establie qe les justices as assises prendre aient poair denquer en lour sessions des assises de tielx retournes. faitz & si par enquest & due examination trovee soit devaunt mesmes les justices qe ascun tiel viscont ait fait ou face en apres ascun retourne encontre la tenure du dit estatut qe mesme le viscont encourage la peyne de C li. a paiers a nostre dit seignur le Roy. Et outre ceo qe les chivalers des countees ensi nient dument retournes perdent lour gages du parlement dancien temps acustumez.

## CAP. II.

*No common hosteler shall be a customer, comptroller, or searcher.*

No common hosteler in a city or borough shall be a customer, comptroller or searcher there.  
\* *Trounour.*

**I**TEM, it is ordained and established, That no man which holdeth a common hostelry in any city or borough of *England*, shall be a customer, comptroller, finder \*, nor searcher of the said lord the King; (2) and that to eschew the damage and los, which thereof may happen, by the favour that such common hostelers may or will do to merchants and other their guests in their said offices.

20 H. 6. c. 5.

**I**TEM ordeinez est & establiez qe null homme qtient commune hosterye en ascune citee ou burgh dEngleterre soit customer controullour troumour ou sercheour nostre dit seignur le Roy & ceo pur eschuer les damages & perdenqent purront avenir par le favour qe tielx communes hosteliers purront ou voillent faire as marchauntz & autres lour hostes en lour offices dessuifditz.

## CAP. III.

*Records shall not be amended or impaired after judgment inrolled.*

**I**TEM ordeignez est & establi-  
z qe justices des assises par commission nostre seignur le Roy en les countees de roialme aprendre assignez & assigners desorenavant facent deliverer pleinement en tresorie nostre dit seignur le Roy toutz les recordes de les assises de novell disseisine de mordauncestre & des certifications ove toutz les appurtenances & appendances devaut eux determinez chescune secunde an apres qe le plee en soit determine & jugement rendu sanz plus delaie. Et qe les recordes & les proceses des plees realx & personelx & d'assises de novell disseisine de mordauncestre & certifications & d'autres dont jugement soit renduz & enrollez ou chose touchant tielx plees ne soient en aucune manere amendez ne empeirez par novel entre des clerks ou par record ou chose certifier ou tesmoigner ou commandement dascun justice qiconque en null terme apres qe tiel jugement en tielx plees soit donez & enrollez.

**I**TEM, it is ordained and established, That the justices assigned, and to be assigned, to take assises by commission of our lord the King in the counties of the realm, from henceforth shall cause to be delivered fully in the King's treasury, all the records of assises of *Novel disseisin*, of *Mortdauncester*; and of certifications, with all the appurtenances and appendances before them determined, every second year, that the plea thereof be determined, and judgment given without more delay. (2) And that the records and proces of pleas real and personal, and of assises of *Novel disseisin*, or *Mortdauncester*, and certifications, and of others, whereof judgment is given and inrolled, or things touching such plea, shall in no wise be amended nor impaired by new entering of the clerks, or by the record or thing certified in witness or commandment of any justice, in no term after that such judgment in such pleas is given and inrolled.

Justices of assise shall deliver into the treasury the records of assise, &c. every second year.  
9 Ed. 3. stat. 2 c. 5.

Records shall not be amended or impaired after judgment given and recorded.

## CAP. IV.

*He that playeth at unlawful games prohibited by the statute of 12 RICH. 2. c. 6. shall be six days imprisoned.*

**I**TEM, Whereas in the statute made at Cant. the xii. year of the reign of King RICHARD, amongst other things it was accorded and assented, That the servants and labourers of husbandry, and labourers and servants of artificers, and of victuallers, should have bows and arrows, and use the same the sundays and other festival days, and utterly leave playing at the balls, as well hand-ball as foot-ball, and other games called coits, dice, bowling, and nails, and other such unchristy games, and that the sheriffs, mayors, bailiffs, and constables, shall have power to arrest all that do contrary, as in the said statute is more fully contained: our sovereign lord the King will, That the

Ex edit. Raft; Servants. Unlawful games.

said statute be firmly holden and kept: joined to the same, that every such labourer or servant that doth contrary to the same statute, shall have imprisonment by six days. And the mayors and sheriffs, or the mayors and bailiffs of cities and boroughs, and the constables in other towns, shall have power to put this statute in execution from time to time, and if they do not thereof execution, the same mayors and sheriffs, or mayors and bailiffs aforesaid, shall pay to the King for every default xx s. and the constables or constable of every town that doth not like execution of this statute, shall pay for every their or his default vi s. iiii d. and that the justices of assises shall have power to enquire in this case in their sessions from time to time, of them that do contrary to this statute, and thereof to certify in the chancery.

Rep. 33 H. 8.  
c. 9.

### CAP. V.

*Gally half-pence shall not be current in payment in this realm.*

Gally half-pence shall not be current in payment.

**I**TEM, because that Gally half-pence do commonly run in the realm for payment, in derogation of the King's crown, and in great deceit of the common people: it is ordained and established, That the said Gally half-pence shall never be current in payment nor in other manner within the realm of England, upon pain of forfeiture thereof. And moreover that the Gally half-pence, in whose hands soever they be found within the realm, shall be forfeit to our sovereign lord the King, after the two months next ensuing the proclamation of this statute. And also the same our sovereign lord the King will, That all the statutes and ordinances made before this time by him, or by his noble progenitors, not repealed, as well of money of Scotland, as of the money of other realms and parts beyond the sea, be holden and kept, and put in due execution.

### CAP. VI.

*Cloths shall not be tacked and plaited together before the aulneger hath set his seal to them.*

7H.4.c.10.  
11 W. 3 c. 20.  
What is to be understood by the word *cloth* in this statute, see 11 H. 6. c. 9.

**I**TEM, Whereas by the statute made the seventh year of the reign of our said lord the King that now is, it was ordained, That every whole coloured cloth made within the realm should contain by assise the length of eight and twenty yards by the crest, (2) and every dozen of cloth of the length of fourteen yards by the crest, (3) and the rays measured by the list should contain the same length, that is to say, the whole cloth eight and twenty yards, and the dozen fourteen yards: (4) and certain aulnegers thereto assigned through the realm, should take their charge in the exchequer, well and lawfully without fraud to search and survey such cloths and dozens, that every of them in his nature do contain the length and breadth as the statute aforesaid requireth: (5) the same aulnegers having power and authority by our said lord the King, duly to execute their office, and with the seal of their office thereto assigned to seal all the

said

faid cloths and dozens, holding their length and breadth, after the form of the faid assise, so that the people having whereof they may be sure, that by the warrant of the same sealing, their cloths and dozens aforesaid shall hold their length and breadth, after the form of the faid statute: (6) notwithstanding which statute, certain persons, namely, in the West parts, making such manner of cloths, which do not hold their assise as well in rays as in full cloth, and in especial where the whole coloured cloth ought to contain the length of eight and twenty yards, it holdeth not but three and twenty yards: (7) and where the dozen of cloth ought to hold fourteen yards, it holdeth but eleven yards; (8) and to conceal the deceit of the measure, the faid people so making such cloths and dozens, cause the same to be plaited and tacked together presently after they be made: and when the aulnegers see the cloths so tacked together, they do seal them without making any more search or surveying of the same cloths, to the great deceit and hindrance, as well of the lords as the commons of the realm. (9) Our lord the King considering the mischiefs aforesaid, and willing thereof to provide remedy, by the advice and assent of the faid lords, and at the request of the faid commons, hath ordained and established, That a new seal having a sign and a mark differing from the old seal of the faid office of aulneger, shall be made and delivered to the faid aulnegers, (10) and after that the same seal so newly to be made be delivered to the faid aulnegers, proclamation shall be made openly in the West parts, and other places through the realm, that no persons making such manner of cloths and dozens in the same West parts, nor elsewhere within the realm of *England*, be so hardy to tack and plait together such manner of cloths, before that the aulneger hath duly made his search and survey of the same cloths, that they hold their length and breadth ordained in the faid statute, upon pain of forfeiture of the same: (11) and that the faid aulneger after that, shall set the faid new seal of his office to such manner of cloths and dozens; (12) saving always that the cloths and dozens of colour and of ray, which he ensealed with the faid old seal, before the proclamation made, may have their course to be sold without any impediment, impeachment, or restraint upon them to be made by the faid aulnegers, or any other officers, betwixt the date of the faid proclamation, and the feast of *St. Peter ad vincula* next coming. (13) And in case that any aulneger in doing his faid office do contrary to this statute, and thereof be duly attainted, that he at the first time that he shall be so attainted, shall lose x li. (14) and at the second time xx li. to be levied and paid to the use of our faid lord the King, of all his lands and tenements, goods and chattels, in whose hands soever they be; (15) and at the third time his body shall be arrested, and all his goods and chattels at the King's will. (16) And moreover the same our lord the King doth will, That every person which will use for the King, or for himself, shall have the suit to attain such aulnegers, so doing against this statute. (17) And the same

No man shall tack and plait together cloths before the aulneger hath set his seal unto them.  
13 R. 2. stat. 1. c. 11.

The penalty of an aulneger not performing his duty.

party pursuing shall have for his labour the fourth part of the penalty of ten or twenty pound aforesaid, according as the case shall happen: saving to lords and other their franchises, if they have any in this case.

11 H. 6. c. 9.

## C A P. VII.

*Merchants strangers shall pay the customs, &c. granted to the King by the commons for cloth cut in pieces, or garments, proportionably after the rate of a whole piece.*

Ex edit. Raft.  
Custom.Merchants  
aliens.Wool.  
Gold and sil-  
ver.

**I**TEM, *Whereas our sovereign lord the King hath had the custom and subsidy in the form contained in the grant of his commons, and amongst other of every cloth of scarlet, and of other cloth of whole grain a certain custom. Now so it is, that certain merchants aliens, dwelling in the city of London and other towns, have taken and do hold great houses, in which they be sole inhabitants, and do buy sometimes as in a year 1000 or 2000 cloths of fine white, or more, and do dye the same of their own grain in scarlet, or in sanguine, or in other colours of whole grain or half grain, and afterward do the same cloths to be cut to small pieces of v. or vi. yards, or more, or less, and thereof make divers garments, and pack the same in their said houses, and in the same packs subtilly do pack fine wool, gold and silver in plate, or sometime they put such wool, gold and silver in barrels and other vessels, and bring the same out of the realm without paying any custom or subsidy for the same, under the colour of such garments so made, because that such garments be not customable, and so our said sovereign lord the King, by such merchants aliens, so dwelling alone in their houses, is daily defrauded and greatly deceived of his custom and subsidy, to his great damage and prejudice in this behalf: it is therefore ordained and established, That all merchants aliens from henceforth shall pay the customs and subsidies as well for such garments after the rate, that is to say, if iii. v. or vi. such garments do contain one cloth of whole grain, that then they shall pay the custom and subsidy as for a whole cloth of scarlet, if less, less: or if more, more: as also of grained cloths and all other cloths of wool. And moreover, it is accorded and assented in the said parliament, That commissions shall be made to certain persons, to enquire if the said aliens have any thing done or attempted to the contrary of the said statutes made before this time in this case, and thereof to certify in the King's chancery.*

## C A P. VIII.

*The lord chancellor shall send the estreats of exchanges taken of merchants into the exchequer every fifteen days.*

Exchange.  
Merchandises  
of the staple.

**I**TEM, *Whereas in the statute made at Westminster, the xiii. year of King RICHARD the Second, it was ordained and established, that for every exchange, which from that time forth should be made by merchants to the court of Rome, or elsewhere, that the said merchants should be firmly and surely bound in the chancery, to buy within three months next after the said exchange made, merchandises of the staple, as wool, leather, woollens, lead, tin, butter, cheese, cloth, or other commodities of the land, to the value of the sum so exchanged,*

*changed, upon forfeiture of the same: it is ordained and established, That the said statute be firmly holden and kept, and put in due execution. Added thereto, that the chancellor of England for the time being, shall from fifteen days to fifteen days send the estreats of the writs of exchanges into the exchequer of our sovereign lord the King, and that the treasurer and barons of the said exchequer have power by authority of parliament to examine the customer in this case, and to punish them that shall be found guilty against the form of the said statute, according to the continue of the same.*

Customer.

## C A P. IX.

*Jurors in indictments shall be returned by the sheriff, or bailiffs, without the denomination of any.*

**I**TEM pur ceo qe ore tarde enquestes feurent prizez a Westm' des persones as justices denomez saunz due retourne de viscont des queux persones ascuns furent utlagez devant les ditz justices de record & ascuns fuez al seintewarie pur treson & ascuns pur felonie pur illoeqes avoir refuyte par queux sibien plusours massaisours estoient enditez come autres loialx lieges nostre seigneur le Roi nient coupables par conspiracie abbettement & faux ymagination doutres persones pur leur especiale avantage & lucres propres encontre la cours de la commune ley avant ces heures usez & accustumez nostre dit seigneur le Roi pur greindre ease & quiete de son poeple voet & graunte qe mesme lenditement issint fait ovef- qe toutz les dependences dicell soit revokez adnullez void e et tenuz pur null pur toutz jours & qe desorenavant null enditement soit fait par ascuns tielx persones einz par enquestes des loialx lieges nostre dit seigneur le Roi en manere come fuit use en temps de ses nobles progenitours par les viscounts ou baillifs des franchises dument retournez sanz ascune manere denomination as ditz viscountz

**I**TEM, because that now of late inquests were taken at Westminster, of persons named to the justices, without due return of the sheriff, of which persons some were outlawed before the said justices of record, and some fled to sanctuary for treason, and some for felony, there to have refuge, by whom as well many offenders were indicted, as other lawful liege people of our lord the King, not guilty, by conspiracy, abettment, and false imagination of other persons, for their special advantage and singular lucre, against the course of the common law used and accustomed before this time; (2) our said lord the King, for the greater ease and quietness of his people, will and granteth, That the same indictment so made, with all the dependencethereof, be revoked, adnulled, void, and holden for none for ever; (3) and that from henceforth no indictment be made by any such persons, but by inquest of the King's lawful liege people, in the manner as was used in the time of his noble progenitors, returned by the sheriffs or bailiffs of franchises, without any denomination to the sheriffs or bailiffs of franchises before made by any person of the names

11 H. 7. c. 24.  
3 H. 8. c. 12.  
12 Co. 98, 99.  
Cro. Car. 134.  
3 Inst. 32, 33.

Jurors in indictments shall be returned by the sheriff, or bailiffs, without the denomination of any.



names which by him should be impanelled, except it be by the officers of the said sheriffs or bailiffs of franchises, sworn and known, to make the same, and other officers to whom it pertaineth to make the same, according to the law of England. (4) And if any indictment be made hereafter in any point to the contrary, that the same indictment be also void, revoked, and for ever holden for none.

viscontz ou baillifs de franchises devant fait par aucune persone des nouns queux seront par luy empanellez fil ne soit par les ministres des ditz viscontz ou baillifs de franchises a ceo faire jurrez & commys & les autres ministres as queux il appartient de ceo faire solonc la ley d'Engleterre. Et si aucun enditement soit fait en temps avenir en aucune manere a contraire soit mesme lenditement auxint voide adnullez revokez & tenuz pur null a toutz jours.

Statutes made at *Westminster*, Anno 13 HEN. IV. and Anno Dom. 1411.

**T**HE Tuesday being on the morrow of All Souls, the thirteenth year of the reign of our lord King HENRY the Fourth, the same our lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the commons being in the said parliament holden at Westminster, hath caused to be ordained and stablished divers statutes and ordinances in form as followeth.

**M**Aresdy lendemayn des mes lan du regne nostre seigneur le Roi trefzisme mesme nostre seigneur le Roi de ladvis & assent des seignurs espirituelx & temporelx & a la request des communes esteantz en son parlement tenuz a Westm' fist ordeigner & establi diverses ordinances & estatutz en la fourme qenseute.

CAP. I.

*A confirmation of all liberties, saving a franchise granted to the scholars of Oxford.*

The liberties of the church and of all cities and boroughs confirmed; the liberties granted to the scholars of Oxford excepted,

**F**IRST, That holy church have all her liberties and franchises, (2) and all the cities and boroughs of the realm have and enjoy all their liberties and franchises, which they have of the grant of our lord the King's progenitors, or of his own grant or confirmation, except the franchise now late granted to the scholars of the university of *Oxford*; (3) and that the Great Charter, and the Charter of the Forest, and all

**P**rimierement qe seint esglise ait toutz ses libertees & franchises & qe toutz les seignurs espirituelx & temporelx & les autres liges du Roi eiantz libertees & franchises & toutz les citees & burghs du roialme eient & enjoient toutz leur libertees & franchises queux ils ount de graunte de les progenitours nostre dit seigneur le Roi & de son graunte demesne ou conferment forspris la franchise ore tarde graunte a les colers

**Colers de univerte dOxenford** all other good statutes made before this time, and not repealed, stand in their force.  
**et que la Graund Chartre & la Chartre de la Foreste & toutz autres bones estatutz avaunt ces hoeures faitz & nient repeleiez estoient en lour force.**

C A P. II.

*A confirmation of the statute of 8 RICH. 2. cap. 2. touching justices of assise and gaol-delivery, for so long as it shall please the King.*

**I**TEM, it is ordained and established, That the statutes made in the eight year of King RICHARD the Second, wherein be contained these words which follow: Item, it is agreed and ordained, That no man of the law shall be from henceforth justice of assise or of the common deliverance of gaols in his own country. And that the chief justice of the common bench be assigned among other justices, to take such assises and to deliver gaols: but as to the chief justices of the King's bench it shall be done as hath been accustomed for the most part of an hundred years last past, shall be holden and kept, notwithstanding any statute or ordinance made to the contrary. And that no chief justice of the King's bench be in any wise hereafter made justice to take assises in any county within the realm of England, but only in the county of Lancaster. And that this statute hold place and be in force as long as shall please the King for salvation of his prerogative.

Ex edit Rast. Justices of assise, or gaol delivery.

33 H. 8. c. 24.

C A P. III.

*A confirmation of several statutes of 1 HEN. 4. cap. 7. 7 HEN. 4. cap. 12. & 1 RICH. 2. cap. 7. touching giving and taking of liveries..*

**I**TEM, whereas in the statute made the first year of the reign of our sovereign lord the King that now is, it was ordained, That no archbishop, bishop, abbot nor prior, nor none other man of holy church nor temporal, of what estate or condition that he were, should give any livery of cloth to any person, but only to his menials and officers, and to those which be of his council, as well spiritual as temporal, learned in the one law and the other, upon pain to make fine and ransom at the King's will, and after the statute made the vii. year of the same our said sovereign lord the King, it was ordained and established, That as well the said statute, as the statute of livery of hats, made in the time of King RICHARD the Second, should be firmly holden and kept, and put in due execution: joined to the same, That if any knight, or any other person of less estate, do give any such livery of cloth or of hats, against the form of the said statutes, That he shall incur the pain of an hundred shillings, for every such livery of cloth or of hats, to be paid to the King as often as he doth the contrary to the same statute or ordinance. And that he that receiveth any such livery of cloth or of hats, shall likewise incur the pain of forty shillings, to be paid to our sovereign lord the King, as afore is said. And he that will sue shall have the one half of such pains for his labour and travail, and that such pains be in no wise pardoned. And moreover that no congregation nor company in any

Liveries.

wise make any such livery of cloth or of hats at their own cost, upon pain that every man of the same congregation or company, that doth in any wise the contrary of the said ordinances and statutes, shall pay to our sovereign lord the King x*s.* except only the guilds and fraternities, and also people of crafts within cities and boroughs in the realm of England, which be founded and ordained to a good intent and purpose. And the justices of assises shall have power to enquire from time to time in their sessions of the matters aforesaid, and the same to certify in the king's bench. Provided always that in time of war it shall be lawful to the lords, knights, and esquires, and all other gentlemen, which travaill for our said sovereign lord the King in such war, to give their livery of clothing or of hats: such and in such guise as to them best shall seem for the time in such war, without being any wise molested, grieved, or inquired in this behalf by force of the said ordinance or statute: Our sovereign lord King HENRY the Fourth that now is, considering the said ordinances and statutes very profitable for the ease and quietness of him and all his realm, by the advice and assent of the lords spiritual and temporal, and at the special request of the said commons will and granteth, That the said statutes be holden and kept, and put in due execution after the form and effect of the same.

Justices of assise.

Repealed  
3 Car. 1. c. 4.

#### CAP. IV.

*A confirmation of the statute of 7 HEN. 4. cap. 10. and 11 HEN. 4. cap. 6. &c. touching the length and breadth of cloths of ray, and coloured cloths.*

Cloths of ray  
and coloured.

**I**TEM, whereas in divers statutes made before this time, as well in the time of King EDWARD, grandfather of our sovereign lord the King, that now is, as in the time of King RICHARD, late King of England, it was ordained and established, That cloths of ray, and coloured cloths should contain a certain length and breadth, as in the said statutes is more fully contained, and in the parliament of our sovereign lord the King that now is, the vii. year of his reign, it was ordained and established, That the coloured cloth should contain in length xxviii. yards, and the cloth of ray as many, measured without deforming the cloths, and that the cloth of ray should hold in breadth vi. quarters, and the coloured cloth in breadth vi. quarters and a half, to the intent that the one cloth and the other watered and rowen, should be of the length of xxiv. yards, upon pain that the makers of such cloths should forfeit the same cloths, which by the aulneger should be found of less length or breadth. And that the aulneger should take them, and the same deliver at the wardrobe to the King's use. And also by another statute, made the xi. year of our said sovereign lord the King, for to avoid the great fraud and deceit of aulnegers through the realm, divers ordinances, stablishments and punishments were made and ordained in this case, as in the said statutes more plainly doth appear: The same our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons hath ordained and stablished, That the said statutes, made in the said vii. and xi. years of his said reign, be firmly holden and kept, and put in due execution.

Aulneger.  
9 H. 4. c. 6.  
Repealed by  
5 & 6 Ed. 6.  
c. 6.  
43 Eliz. c. 10.  
4 Jac. 1. c. 2.

## C A P. V.

*All customers, comptrollers, &c. shall be resident upon their offices.*

**I**TEM ordeignez est & establi qe les estatutz faitz de les custumers contrerollours lieutenantz de chief botellere & de les sercheours lan primer & lan quart le Roi qore est soient tenuz & gardez. Et outre ceo ordeignez est & establi qe toutz maneres des custumers contrerollours gaugeours de vins & sercheours parmy le roialme soient continualment re seantz et demorantz sur leur offices & ent especial al temps de les charge & descharge de les niefs & vesselx entrantz les portz dEngleterre & passantz hors dicelles issint qe nul tiel officer apres le temps dessusis nome soit absente de son dit office par trois semaines a plus sur peine de perdre son dit office sil ne soit comandez & chargies en especial de record destre en les courtes du Roi ou autrement en service nostre dit seignur le Roi de record come dessusis est dit.

**I**TEM it is ordained and established, That the statutes made of customers, comptrollers lieutenantz of the chief butler, and of searchers, the first and fourth years of our said lord the King that now is, be kept and holden; (2) and moreover it is ordained and established, That all manner of customers, and comptrollers, gaugers of wine, and searchers through the realm, shall be continually resident and abiding upon their offices, and in special at the time of the charge and discharge of ships and vessels, entering in the ports of *England*, and passing out of the same, (3) so that no such officer, after the time above named, be absent from his said office by three weeks at the most, upon pain to lose his said office, unless he be commanded and charged in special record to be in the King's courts, or otherwise in the King's service of record, as afore is said.

Customers, &c. shall be continually resident upon their offices.

1 H. 4. c. 13.  
4 H. 4. c. 20.  
1 El. c. 11 § 8.

## C A P. VI.

*No Gally half-pence or foreign money shall be current within this realm.*

**I**TEM, whereas in the statute made the eleventh year of our lord the King that now is, it was ordained and established, That Gally half-pence from henceforth should not run in payment, nor in other manner within the realm of *England*, upon pain of forfeiture of the same; (2) and moreover that the same Gally half-pence, in whose hands they might be found within the said realm, should be forfeit to our said lord the King; (3) and also that the statutes and ordinances made by our said lord the King, or his noble progenitors, as well of the money of *Scotland*, as of other realms and parts beyond the sea, should be holden and kept, and put in due execution: (4) our lord the King, considering the great deceit, as well of the Gally half-pence, as of the money of other realms beyond the sea, will that the same

No foreign money shall be current within this realm.

2 H. 4. c. 6.  
11 H. 4. c. 5.

statutes

statutes be firmly holden and kept, and put in due execution in all points.

## CAP. VII.

*The justices of peace and the sheriffs shall arrest those which commit any riot, &c. inquire of them, and record their offences.*

Bro. Riots, 5.  
Raym. 386.  
The justices of peace and the sheriffs shall arrest those who commit any riots, &c.

**I**TEM, it is ordained and established, That if any riot assembly, or rout of people against the law, be made in parties of the realm, that the justices of peace, three, or two of them at the least, and the sheriff or under-sheriff of the county where such riot, assembly, or rout shall be made hereafter, shall come with the power of the county (if need be) to arrest them, and shall arrest them; (2) and the same justices and sheriff, or under-sheriff, shall have power to record that which they shall find so done in their presence against the law; (3) and that by the record of the same justices and sheriff, or under-sheriff, such trespassers and offenders shall be convict in the same manner and form as is contained in the statute of forcible entries, (4) And if it happen that such trespassers and offenders be departed before the coming of the said justices and sheriff, or under-sheriff, that the same justices, three, or two of them, shall diligently inquire within a month after such riot, assembly, or rout of people so made, and thereof shall hear and determine according to the law of the land.

5 R. 2. stat. 1.  
c. 7.  
15 R. 2. c. 2.  
Inquiry of the offenders.

Certificate of a riot, and the punishment of offenders.

II. And if the truth cannot be found in the manner as is aforesaid, then within a month then next following, the justices, three, or two of them, and the sheriff or under-sheriff, shall

**I**TEM ordeignez est & establiz que si aucun riot assemblee ou rout des gentz encontre la loie se face en aucune partie de roialme que les justices de paix trois ou deux de eux a meyns & le viscont ou south viscont du counte ou tiel riote assemblee ou rout se ferra enapres veignent ove le poair de counte si boisoigne sera pur eux arester & eux arrestent & aient mesmes les justices & viscont ou south viscont poair de recorder ceo qils troevent ensi fait en leur presence encontre la ley & que par le record de mesmes les justices & viscont ou south viscont soient tielx trespassours & messaisours convictz en manere & fourme come il est contenuz en lestatut de forcibles entrees. Et sil adveigne que tielx trespassours & messaisours soient departiz devant la venue des ditz justices & viscont ou south viscont que mesmes les justices trois ou deux de eux enquergent diligement deinz un moys apres tiel riote assemblee ou route des gentz enfy faitz & ent oient & terminent solonc la loye de la terre.

Et si la veritee ne poet estre trove en maner come dessus est dit adonques deinz un moys lors proschein ensuiant certifierent les ditz justices trois ou deux de eux & le viscont ou south-viscont susditz devant le Roy & son conseil tout le fait & les circonstances dicell quell certificat soit dautiel force come

come le presentement de xii sur quel certificat soient les ditz trespassours & meffaisours mys a response & ceux qi ferront trevez coupables soient puniz solone la discretion du Roy & de son dit conseil.

Et si tielx trespassours & meffaisours traversent la matire enfy certifie soient celles certificat & travers mandez en banc le Roy pur y estre trie & terminez come la ley demande & si mesmes les trespassours & meffaisours ne veignent my devaunt le Roy & son conseil ou en bank le Roy a primer mandement adonques soit fait autre mandement direct a viscount de countee de prendre les ditz trespassours & meffaisours sils purront estre trevez & eux amefner a certain jour devaunt le Roy & son dit conseil ou en bank le Roy. Et sils ne purront estre trevez qe le viscount ou south-viscount face proclamation en pleine countee profchein ensuiant la livree du seconde mandement qils viennent devaunt le Roy & son dit conseil ou en bank le Roy ou en la chancellarie en temps de vacation deinz trois semaines lors profcheins ensuiantz Et en cas qe mesmes les trespassours & meffaisours ne viennent mye come devaunt est dit & la proclamation faite & retourne soient ils convictz & atteintz de les riote assemble ou route dessuifditz non obstant aucun estatut ou ordinance fait a contraire.

Et en outre qe les justices de la paix demurrantz les plus profcheins en chescun counte ou tiel riote assemble ou route des gentz se ferra en apres ensemblement ove le viscount ou south-viscount de mesme le counte

shall certify before the King and his council all the deed and circumstances thereof, (2) which certificate shall be of like force as the presentment of twelve; upon which certificate the said trespassers and offenders shall be put to answer, and they which shall be found guilty, shall be punished according to the discretion of the King and his council.

III. And if such trespassers and offenders do traverse the matter so certified, the same certificate and traverse shall be sent into the King's bench, there to be tried and determined as the law requireth. (2) And if the same trespassers do not appear before the King and his council, or in the King's bench, at the first precept, then shall be another precept directed to the sheriff of the county, to take the said trespassers and offenders, if they may be found, and to bring them at a certain day before the King and his council, or into the King's bench.

(3) And if they cannot be found, That the sheriff or under-sheriff shall make proclamation in his full county next ensuing the delivery of the second precept, that they shall appear before the King and his said council, or in the King's bench, or in the chancery in the time of vacation, within three weeks then next following. (4) And in case the same offenders come not as afore is said, and the proclamation made and returned, they shall be convict and attainted of the riot, assembly, or rout afore-said, notwithstanding any article or ordinance made to the contrary.

A traverse of a riot triable in the King's bench.

Conviction of offenders for default of appearance.

The penalty  
of the next  
justices omit-  
ting their of-  
fice.

IV. And moreover, That the justices of peace dwelling nighest in every county where such riot, assembly, or rout of people shall be made hereafter, together with the sheriff or under-sheriff of the same county, and also the justices of assises for the time that they shall be there in their session, in case that any such riot, assembly, or rout be made in their presence,

counte & auxi les justices dafises pur le temps qils seront illoeqs en leur sessions en cas qe aucun tiel riote assemble ou route se ferra en leur presence facent execution de cest estatut chescun sur peine de Ch. a paiers au Roy a tant des foitz qils seront trovez en defaut del execution de meisme le statut.

Raf. 383.

17R. 2. c. 8.

2H. 5. stat. 1.

c. 8.

11H. 7. c. 7.

19H. 7. c. 13.

shall do execution of this statute, every one upon pain of an hundred pounds, to be paid to the King as often as they shall be found in default of the execution of the same statute.

*Thus end the statutes of King HENRY the Fourth.*

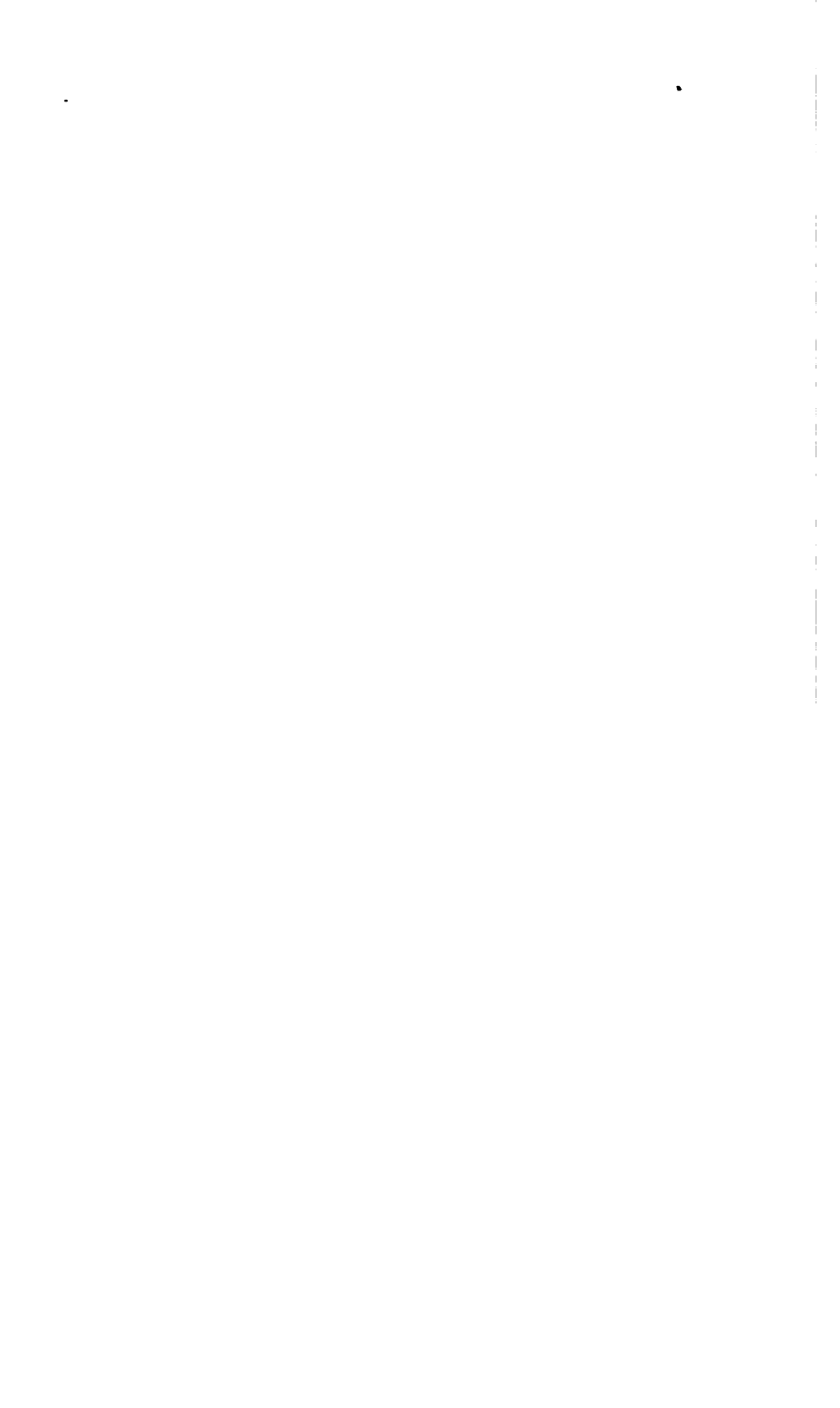
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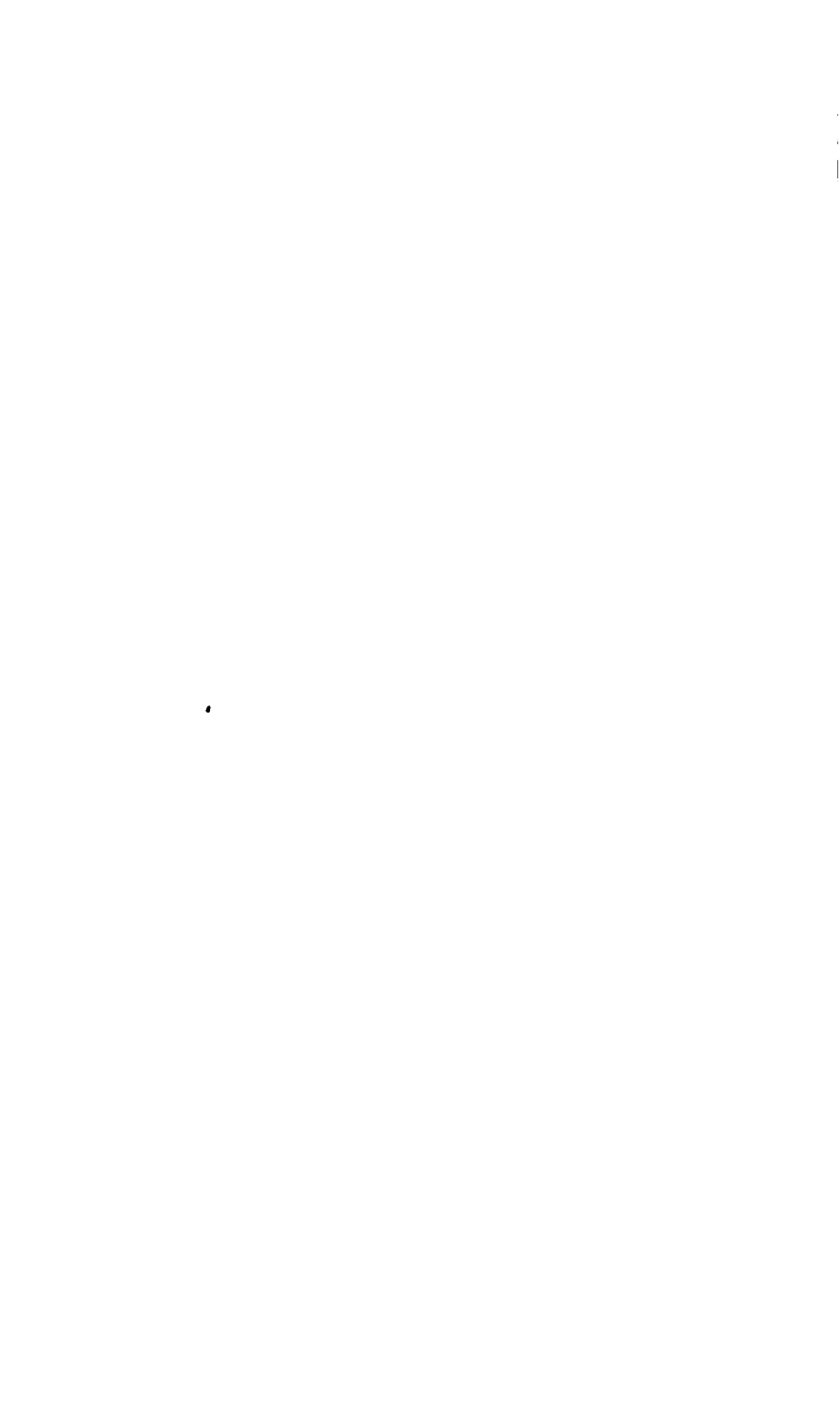












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